# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

**ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು**

| ಸಂಪುಟ –೧೬೧<br>**Volume - 161** | ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೨೬, ಫೆಬ್ರವರಿ, ೨೦೨೬ (ಫಾಲ್ಗುಣ, ೦೭, ಶಕವರ್ಷ, ೧೯೪೭)<br>**BENGALURU, THURSDAY, 26, FEBRUARY, 2026 ( PHALGUNA , 07, SHAKAVARSHA, 1947)** | ಸಂಚಿಕೆ ೪೦<br>**Issue 40** |
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**ಭಾಗ ೪**

**ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 01 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026.

ದಿನಾಂಕ: 01.01.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Health Security se National Security Cess Rules, 2026ನ GSR 02 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

# MINISTRY OF FINANCE

**(Department of Revenue)**

**NOTIFICATION**

New Delhi, the 1st January, 2026

**No.01/2026 - HSNS Cess**

**G.S.R. 02(E).—**In exercise of the powers conferred by section 35 of the Health Security *se* National Security Cess Act, 2025 (35 of 2025), the Central Government hereby makes the following rules, namely:-

## CHAPTER I

## PRELIMINARY

**1. Short title and commencement**. - (1) These rules may be called the Health Security *se* National Security Cess Rules, 2026.

(2) They shall come into force on the 1st day of February, 2026.

**2. Definitions**. – (1) In these rules, unless the context otherwise requires, -

(a) “Act” means the Health Security *se* National Security Cess Act, 2025 (35 of 2025);

(b) “Portal” means the portal accessible at cbic-gst.gov.in;

(c) "registered person" means a person who is registered under section 8 of the Act.

(2) The words and expressions used herein but not defined and defined in the Act shall have the meanings respectively assigned to them in the Act.

**3. Appointment and jurisdiction of officers. —** (1) The Board may, by order, appoint such officer as it thinks fit to be a proper officer who shall be entrusted with such powers or assigned with such functions as may be specified thereunder.

(2) The Board may, by order, specify the jurisdiction of a Principal Chief Commissioner, Chief Commissioner, Principal Commissioner, Commissioner, or Commissioner (Appeals), or Commissioner (Audit) for the purposes of the Act and the rules made thereunder.

(3) A proper officer may exercise the powers and discharge the duties conferred or imposed under the Act or these rules on any other officer who is subordinate to him.

## CHAPTER II

## REGISTRATION

**4. Application for registration. -** (1) Every taxable person liable to be registered under section 8 of the Act shall apply for registration by submitting the FORM HSNS REG-01 on the Portal along with the documents specified in the said form:

Provided that where a taxable person owns, possesses, leases or controls machines installed in more than one factory, a separate application in FORM HSNS REG-01 shall be submitted for each such factory.

(2) Upon successful submission of the application under sub-rule (1), a temporary registration number shall be generated and communicated to enable the taxable person to discharge the liability of cess as required under section 10 of the Act, pending the grant of registration certificate under rule 5.

**5. Approval of application and issue of registration certificate-** (1) The proper officer shall examine the application and grant registration within seven working days from the date of submission of the application.

(2) Where the application is found to be deficient, the proper officer shall inform the applicant and provide him a reasonable opportunity of being heard, and after considering the representation, if any, furnished by the applicant, the proper officer shall, either grant the registration if satisfied or reject the application after recording reasons in writing.

(3) Where the proper officer fails to take any action within the period specified in sub-rule (1), the application shall be deemed to have been approved.

(4) Where the application for grant of registration has been approved, a certificate of registration in FORM HSNS REG-02 shall be made available to the applicant on the Portal.

(5) The registration certificate shall be effective from the date on which the person becomes liable to be registered under section 8 of the Act.

**6. Cancellation of registration under sub-section (2) of section 8. -** (1) A registered person seeking cancellation of his registration under sub-section (2) of section 8 of the Act shall submit an application listing the grounds for seeking cancellation of registration to the proper officer.

(2) Where there are no dues pending from the registered person, the application for cancellation shall be approved by the proper officer within thirty days from the date of the receipt of the application under sub-rule (1) and the registered person shall be informed accordingly.

**7. Cancellation of registration under sub-section (3) of section 8. –** The registration of a registered person may be cancelled by the proper officer in the circumstances specified in sub-section (3) of section 8, by passing an order specifying the circumstances therein, after giving him a reasonable opportunity of being heard.

**8. Revocation of cancellation of registration. -** (1) A taxable person whose registration is cancelled under rule 7 may submit an application for revocation of cancellation within thirty days from the date of receipt of the cancellation order under rule 7.

(2) Where the proper officer is satisfied that sufficient grounds exist, he shall revoke the cancellation within thirty days of the receipt of such application and the applicant shall be informed accordingly.

(3) Where the proper officer is not satisfied with the application filed under sub-rule (1), he shall provide the applicant a reasonable opportunity of being heard, and after considering the representation, if any, furnished by the applicant, he shall either revoke the cancellation or reject the application and the applicant shall be informed accordingly.

## CHAPTER III

## DECLARATION

**9. Declaration to be filed by registered person. -** (1) Every registered person shall file a declaration as required under section 9 of the Act in FORM HSNS DEC-01 on the Portal within seven days of the grant of registration.

(2) In case of any change in the parameters relevant for the computation of cess, or in case of installation, addition or commencement of any machine or process, the registered person shall file a fresh declaration within fifteen days of such change.

**10. Verification of declaration. - (1)** On receipt of the declaration filed under rule 9, the proper officer shall verify the declaration within ninety days, which may, *inter alia*, include the-

(a) physical inspection of the factory;

(b) verification of the technical specifications of the machine in FORM HSNS CE-01, including the maximum rated speed of the machine; and

(c) consultation with a third-party technical expert if deemed necessary.

**11. Confirmation of declaration.-** (1) In case no discrepancy is found in the declaration filed under rule 9, the proper officer shall pass an order within a period of fifteen days from the date of verification under rule 10, confirming the declaration and determining the computation of the cess payable in accordance with sections 5 and 9 of the Act.

(2) Where the proper officer finds any discrepancy in the declaration furnished under rule 9 that affects the computation of cess payable by the registered person, he shall intimate such discrepancy to the registered person and shall pass an order confirming the computation of the cess payable under sections 5 and 9 of the Act within a period not later than thirty days from the date of verification under rule 10, after giving the registered person a reasonable opportunity of being heard.

(3) No fresh declaration shall be filed under sub-rule (2) of rule 9 until an order of confirmation has been passed by the proper officer under this rule.

(4) The registered person shall be liable to pay the cess so determined for the period subsequent to the passing of the order under sub-rule (2) and shall also be liable to pay the differential amount of cess, if any, along with interest, for the period commencing from—

(a) the date of installation of the machine or the start of the manual process unit, where the declaration is filed under sub-rule (1) of rule 9; or

(b) the date of change in any parameter relevant for the computation of cess, or the date of installation, addition, or commencement of any machine or process, as the case may be, where the declaration is filed under sub-rule (2) of rule 9,

till the date of actual payment of such differential amount.

## CHAPTER IV

## PAYMENT OF CESS AND RETURNS

**12. Cess payable to be calculated. – (1)** The cess payable for a particular month shall be calculated as per the amount of cess per machine or manual process unit specified in Schedule II of the Act:

Provided that in the case of a newly registered person, the cess payable for the first month shall be calculated on a pro-rata basis, having regard to the total number of days in that month and the number of days commencing from the date of installation of the machine or the start of the manual process unit, as the case may be, and such cess shall be paid within five days of such installation or start.

(2) For the purpose of calculating the cess under sub-rule (1), the maximum rated speed of a machine shall be taken as the maximum speed achievable by the machine, as declared in FORM HSNS DEC-01 and as confirmed by the proper officer, irrespective of the actual operating speed at which that machine is used to manufacture or produce the specified goods of any weight.

(3) Where a machine is used to manufacture or produce specified goods of different weights during a month, the cess payable for that machine for that month shall be calculated with reference to the maximum weight of pouch or tin or container manufactured or produced as specified in Schedule II of the Act.

(4) In case of addition or installation or removal or uninstallation of a machine in the factory during the month, for the purpose of calculating cess under sub-rule (1), the number of machines installed for the month shall be taken as the maximum number of machines installed on any day during the month.

**13. Manner of payment. –** (1) The monthly cess payable under section 4 shall be paid by the registered person electronically in the FORM HSNS PMT-01, by the 7th day of the same month for which the liability is calculated:

Provided that where the amount of cess payable for the month increases as per sub-rule (2), (3) or (4) of rule 12, the differential amount of cess shall be paid within five days of the change in the maximum rated speed or weight of the specified goods or the addition or installation of the machine, as the case may be.

(2) If the registered person fails to pay the amount of cess by the due date or period specified in sub-rule (1), such person shall be liable to pay the outstanding amount along with interest at the rate specified under section 17 of the Act, for the period starting with the first day after the due date till the date of actual payment.

**14. Filing of return.-** (1) Every registered person shall furnish a monthly return in FORM HSNS RET-01 on the Portal along with the documents specified in the said Form, on or before the 20th day of the succeeding month.

(2) A registered person who has filed a return under sub-rule (1) may rectify any incorrect particulars or omission furnished in the said return, before the end of the calendar month in which the original return is filed:

Provided that where such rectification results in a higher liability of cess than that declared in the original return, the registered person shall pay the differential amount of cess along with interest at the rate specified under section 17 of the Act, on or before the date of submission of such revised return.

(3) Where a registered person fails to furnish a return by the due date, the proper officer shall issue a notice requiring such person to furnish such return within fifteen days of the receipt of the said notice.

## CHAPTER V

## CESS ABATEMENT AND COMPUTATION

**15. Conditions for abatement. -** (1) The abatement under sub-section (7) of section 5 of the Act shall be available when the following conditions are satisfied, namely:-

(a) the registered person intimates the proper officer at least three working days before the non-operation of an installed machine or manual process unit for any continuous period of fifteen days or more, requesting the sealing of the machine or closure of manual process unit, as the case may be;

(b) the packing machine or manual process unit is sealed by the proper officer within three working days from the date of receipt of intimation in such a manner that it cannot be operated;

(c) no manufacturing activity for the specified goods is undertaken on the said machine or by the manual process unit, as the case may be, during the period of sealing.

(2) Any registered person eligible for abatement under sub-rule (1), shall claim such abatement by submitting an application to the proper officer on or before the 20th day of the month succeeding the period for which the abatement is claimed.

(3) The proper officer shall, upon verification of the claim submitted under sub-rule (2), issue an order, within fifteen days of the submission of such application, allowing the abatement of the cess liability for each month covered by the period of non-operation of the machines or manual unit, which shall be adjusted against the cess liability payable for the month immediately following the month in which such order is issued:

Provided that no order rejecting the claim of abatement, either in whole or in part, shall be passed unless the registered person has been given a reasonable opportunity of being heard.

*Explanation.*- For the purposes of this rule, "installed machine" refers to an operational machine that has become non-operative during the period of abatement.

**16. Quantification of abatement amount. -** The amount of abatement for a month shall be calculated using the following formula:

$$A = \left(\frac{C}{N}\right) \times D$$

Where:

A = Amount of Abatement claimed

C = Total Cess liability for the machine for the month

N = Total number of days in the month

D = Total number of continuous days the machine was inoperative in the month

ILLUSTRATION 1: A REGISTERED PERSON IS ENGAGED IN THE MANUFACTURE OF SPECIFIED GOODS USING A HIGH-SPEED POUCH PACKING MACHINE WITH A PACKING SPEED OF 700 POUCHES OF 2.5 GRAMS PER MINUTE. THE MONTHLY CESS LIABILITY FOR SUCH A MACHINE UNDER SL. NO. 2 OF SCHEDULE II OF THE ACT IS ₹ 2,02,00,000. THE MACHINE REMAINS INOPERATIVE AND SEALED FROM THE 1ST DAY OF SEPTEMBER TO THE 19TH DAY OF SEPTEMBER (BOTH DAYS INCLUSIVE), AND THE MACHINE IS DE-SEALED ON THE 20TH DAY OF SEPTEMBER. THE APPLICATION FOR CLAIMING ABATEMENT MAY BE FILED BY THE REGISTERED PERSON BY 20TH OCTOBER (THE MONTH SUCCEEDING THE MONTH IN WHICH THE MACHINE WAS INOPERATIVE AND SEALED).

**The amount of abatement of cess shall be calculated as follows: —**

**(i) Particulars of non-operation:**

Total number of days in the month (September) (N): 30

Number of continuous days the machine was inoperative (D): 19

Amount of cess paid for the month for the machine (C): ₹ 2,02,00,000

**(ii) Computation of Abatement Amount (A):**

$$\text{A} = \left(\frac{2,02,00,000}{30}\right) \times 19 = ₹\ 1,27,93,333$$

**(iii) Adjustment:** The amount of ₹ 1,27,93,333 shall be allowed as an abatement by the proper officer in the order issued in say, October. The same shall be adjusted against the cess liability for November by the registered person.

ILLUSTRATION 2: A REGISTERED PERSON IS ENGAGED IN THE MANUFACTURE OF SPECIFIED GOODS USING A HIGH-SPEED POUCH PACKING MACHINE WITH A PACKING SPEED OF 700 POUCHES OF 2.5 GRAMS PER MINUTE. THE MONTHLY CESS LIABILITY FOR SUCH A MACHINE UNDER SL. NO. 2 OF SCHEDULE II OF THE ACT IS ₹ 2,02,00,000. THE MACHINE IS SEALED ON THE 20TH DAY OF JULY AND IS DESEALED ON THE 11TH DAY OF AUGUST. THE TOTAL PERIOD OF CONTINUOUS NON-OPERATION IS 21 DAYS (EXCEEDING FIFTEEN DAYS). THE APPLICATION FOR CLAIMING ABATEMENT MAY BE FILED BY THE REGISTERED PERSON BY 20TH SEPTEMBER (THE MONTH SUCCEEDING THE MONTH IN WHICH THE MACHINES WERE INOPERATIVE AND SEALED).

**The amount of abatement of cess shall be calculated as follows: —**

**(i) Particulars of non-operation for July:**

Total number of days in the month (July) (N): 31

Number of continuous days in the month the machine was inoperative (D): 11

Amount of cess paid for the month for the machine (C): ₹ 2,02,00,000

**(ii) Computation of Abatement Amount for July(A1):**

$$A1 = \left(\frac{2,02,00,000}{31}\right) \times 11 = ₹\ 71,67,742$$

**(iii) Particulars of non-operation for August:**

Total number of days in the month (August) (N): 31

Number of continuous days in the month the machine was inoperative (D): 10

Amount of cess paid for the month for the machine (C): ₹ 2,02,00,000

**(iv) Computation of Abatement Amount for August(A2):**

$$A2 = \left(\frac{2,02,00,000}{31}\right) \times 10 = ₹\ 65,16,129$$

**(v) Adjustment:** The amount of ₹ 1,36,83,871 (A1+A2) shall be allowed as an abatement by the proper officer in the order issued in say, October. The same shall be adjusted against the cess liability for November by the registered person.

**17. Desealing and resumption of operation. -** The registered person shall intimate the proper officer three working days before the date from which he intends to resume operation on the sealed machine or closed manual process unit, as the case may be, which shall then be desealed under the physical supervision of the proper officer.

## CHAPTER VI

## AUDIT

**18. Audit. - (1)** The period of audit to be conducted under sub-section (1) of section 12 of the Act shall be a financial year or part thereof or multiples thereof.

(2) Where it is decided to undertake the audit of a registered person, the proper officer shall inform such person by way of a notice not less than fifteen days prior to the conduct of the audit.

(3) The proper officer authorised to conduct audit of the records specified under sub-rule (1) of rule 19 and the books of account of the registered person shall, with the assistance of the team of officers and officials accompanying him, verify the documents on the basis of which the books of account are maintained and the returns and declarations furnished under the provisions of the Act and the rules made thereunder, and other relevant issues and record the observations in his audit notes.

(4) The proper officer may inform the registered person of the discrepancies noticed, if any, as observed in the audit and such person may file his reply and the proper officer shall finalise the findings of the audit after due consideration of the reply filed.

## CHAPTER VII

## ACCOUNTS AND RECORDS

**19. Maintenance of records-** (1)Every registered person shall keep and maintain, in addition to the particulars mentioned in sub-section (2) of section 14, the following records and documents at the factory where the manufacture of specified goods is carried out, namely:-

(a) purchase invoices, bills of entry, or delivery challans in respect of all packing machines installed in the factory;

(b) lease agreements or rent deeds where machines are obtained on lease or hire;

(c) records of any modification, repair or alteration made to the machines that may impact their packing speed or capacity;

(d) electricity bills issued by the distribution company;

(e) record of receipts and consumption of principal raw materials and packing materials;

(f) record of the daily production, clearance and closing stock of specified goods;

(g) record of the generation and disposal of waste or scrap laminates;

(h) balance sheet and profit and loss account for each financial year; and

(i) bank statements reflecting payments for machine procurement.

(2) All the records and documents under sub-rule (1) shall be retained for a period of twenty-four months from the end of the financial year to which such records or documents pertain:

Provided that where an appeal, revision, or any other proceeding is pending before any Appellate Authority, Tribunal, or Court, the records of the subject matter of such proceeding shall be retained for a period of one year after the final disposal of such proceeding or for the period specified above, whichever is later.

## CHAPTER VIII

## COMPOUNDING OF OFFENCES

**20. Procedure for compounding of offences. -** (1) A registered person may, either before or after the institution of prosecution, make an application in accordance with section 23 of the Act to the proper officer for compounding of an offence.

(2) On receipt of the application, the proper officer shall call for a report from the concerned officer with reference to the particulars furnished in the application, or any other information, which may be considered relevant for the examination of such application.

(3) The proper officer, after taking into account the contents of the said application, may, by order, either allow the application and grant him immunity from prosecution or reject such application within ninety days from the receipt of the application:

Provided that the application shall not be rejected unless an opportunity has been given to the applicant to be heard and the grounds of such rejection are mentioned in the order.

(4) Where the application has been allowed under sub-rule (3), the proper officer shall pass an order, specifying the compounding amount which shall be determined as per the Tables below, namely:-

**TABLE A**

| Sl. No. | Offence | Compounding amount if offence is punishable under clause (a) of sub-section (1) of section 19 | Compounding amount if offence is punishable under clause (b) of sub-section (1) of section 19 | Compounding amount if offence is punishable under clause (c) of sub-section (1) of section 19 |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| 1 | Offence specified under section 18(1)(a) of the Act | Up to seventy-five per cent. of the amount of cess evaded or the | Up to sixty per cent. of the amount of cess evaded or the amount of refund of | fifty per cent. of the amount of cess evaded or |

| | | | | |
|---|---|---|---|---|
| 2 | Offence specified under section 18(1)(b) of the Act | amount of refund of cess wrongly taken, subject to minimum of fifty per cent. of such amount of cess evaded or the amount of abatement/refund of cess wrongly taken. | cess wrongly taken, subject to minimum of fifty per cent. of such amount of cess evaded or the amount of refund of cess wrongly taken. | the amount of refund of cess wrongly taken. |
| 3 | Offence specified under section 18(1)(c) of the Act | | | |
| 4 | Offence specified under section 18(1)(d) of the Act | | | |

**TABLE B**

| Sl. No. | Offence | Compounding Amount |
|---|---|---|
| (1) | (2) | (3) |
| 1 | Offence specified under section 18(1)(f) of the Act | Ten Thousand Rupees or Fifty percent of the cess involved, whichever is higher |
| 2 | Offence specified under section 18(1)(i) of the Act | |
| 3 | Offence specified under section 18(2) of the Act | |

(5) Where the offences committed by the person fall under more than one category specified in the Table under sub-rule (4), the compounding amount, in such a case, shall be the amount determined for the offence for which a higher compounding amount has been specified.

(6) The application shall not be allowed unless the cess, interest and penalty liable to be paid have been paid for the case for which the application has been made.

(7) The applicant shall, within a period of thirty days from the date of the receipt of the order under sub-rule (3) allowing the compounding of offences, pay the compounding amount as ordered by the proper officer and shall furnish the proof of such payment to him.

(8) In case the applicant fails to pay the compounding amount within the period specified in sub-rule (7), the order made under sub-rule (3) shall be vitiated and void.

(9) An immunity granted to a person under sub-rule (3) may, at any time, be withdrawn by the proper officer, if he is satisfied that such person had, in the course of the compounding proceedings, concealed any particulars or had given false evidence, and thereupon such person may be tried for the offence with respect to which immunity was granted or for any other offence that appears to have been committed by him in connection with the compounding proceedings and the provisions the Act shall apply as if no such immunity had been granted.

## CHAPTER IX

## SEIZURE OF GOODS

**21. Bond and security for release of seized goods or machines. -** (1) The goods or packing machines seized under section 24 of the Act may be released on a provisional basis upon execution of a bond for the value of such goods or machines in FORM HSNS BND-01 and furnishing of a security in the form of a bank guarantee equivalent to the amount of applicable cess, interest, and penalty payable.

(2) In case the person to whom the specified goods or machines were released provisionally fails to produce the said goods or machines at the appointed date and place indicated by the proper officer, the security shall be encashed and adjusted against the cess, interest, penalty, and fine, if any, payable in respect of such goods or machines.

**22. Procedure in respect of seized goods of perishable nature. -** (1) Where the specified goods or machines are seized under section 24, and if the registered person pays an amount equivalent to the market price of the specified goods or machines, or the amount of cess, interest and penalty that is or may become payable by the taxable person, whichever is lower, such goods or, as the case may be, machines shall be released forthwith, by an order, on proof of payment.

(2) Where the registered person fails to pay the amount referred to in sub-rule (1) in respect of the said goods or machines, the proper officer may dispose of such goods or machines and the amount realised thereby shall be adjusted against the cess, interest, penalty, or any other amount payable in respect of such goods or things.

## CHAPTER X

## APPEALS AND REVISION

**23. Manner of filing appeals to appellate authority. -** (1) An appeal to the appellate authority under sub-sections (1) and (2) of section 29 shall be filed in FORM HSNS APL-01 along with the relevant documents, including grounds of appeal and the decision or order appealed against.

(2) An acknowledgement indicating the appeal number shall be issued to the appellant immediately by the appellate authority or an officer authorised by him in this behalf and the date of issue of the acknowledgment shall be considered as the date of filing of the appeal:

Provided that where the self-certified copy of the decision or order is not submitted within a period of seven days from the date of filing of the appeal, the date of submission of such copy shall be considered as the date of filing of the appeal.

*Explanation.*- For the purposes of this rule, the appeal shall be treated as filed only when the acknowledgement, indicating the appeal number, is issued.

**24. Appeal to appellate authority. -** (1) Any person aggrieved by any decision or order passed under the Act may appeal to the Commissioner (Appeals) within three months from the date on which the said decision or order is communicated to such person.

(2) An officer directed under sub-section (2) of section 29 of the Act to appeal against any decision or order passed under this Act may appeal to the Commissioner (Appeals) within six months from the date of communication of the said decision or order.

**25. Notice to person and order of revisional authority in case of revision. -** (1) Where the revisional authority decides to pass an order in revision under section 28 of the Act which is likely to affect the person adversely, the revisional authority shall serve on him a notice and shall give him a reasonable opportunity of being heard.

(2) The revisional authority shall, along with its order under sub-section (1) of section 28, issue a summary of the order clearly indicating the final amount of demand confirmed.

**26. Withdrawal of appeal. -** The appellant may, at any time before the issuance of the order under sub-section (2) of section 29 of the Act, in respect of any appeal filed, file an application for withdrawal of the said appeal:

Provided that where the acknowledgment has been issued, the withdrawal of the said appeal shall be subject to the approval of the appellate authority and such application for withdrawal of the appeal shall be decided by the appellate authority within seven days of filing of such application:

Provided further that any fresh appeal filed by the appellant pursuant to such withdrawal shall be filed within the period specified in sub-section (1) or sub-section (2) of section 29 of the Act, as the case may be.

**27. Appeal to Appellate Tribunal. -** (1) An appeal to the Appellate Tribunal under sub-section (1) of section 30 of the Act shall be filed in FORM HSNS APL-02, along with the relevant documents, including a memorandum of cross-objections and the decision or order appealed against.

(2) An acknowledgement, indicating appeal number, shall be issued to the appellant immediately and the date of issue of the acknowledgement shall be considered as the date of filing of the appeal:

Provided that where the self-certified copy of the decision or order is not submitted within a period of seven days from the date of filing of the appeal, the date of submission of such copy shall be considered as the date of filing of the appeal.

*Explanation.* - For the purposes of this rule, the appeal shall be treated as filed only when the final acknowledgement, indicating the appeal number, is issued.

**28. Production of additional evidence before appellate authority or Appellate Tribunal.-** (1) The appellant shall not be allowed to produce before the appellate authority or the Appellate Tribunal any evidence, whether oral or documentary, other than the evidence produced by him during the course of the proceedings before the adjudicating authority or, as the case may be, the appellate authority, except in the following circumstances, namely: -

(a) where the adjudicating authority or, as the case may be, the appellate authority has refused to admit evidence which ought to have been admitted; or

(b) where the appellant was prevented by sufficient cause from producing the evidence which he was called upon to produce by the adjudicating authority or, as the case may be, the appellate authority; or

(c) where the appellant was prevented by sufficient cause from producing before the adjudicating authority or, as the case may be, the appellate authority any evidence which is relevant to any ground of appeal; or

(d) where the adjudicating authority or, as the case may be, the Appellate Authority has made the order appealed against without giving sufficient opportunity to the appellant to adduce evidence relevant to any ground of appeal.

(2) No evidence shall be admitted under sub-rule (1) unless the appellate authority or the Appellate Tribunal records in writing the reasons for its admission.

(3) The appellate authority or the Appellate Tribunal shall not take any evidence produced under sub-rule (1) unless the adjudicating authority or an officer authorised in this behalf by the said authority has been allowed a reasonable opportunity-

(a) to examine the evidence or document or to cross-examine any witness produced by the appellant; or

(b) to produce any evidence or any witness in rebuttal of the evidence produced by the appellant under sub-rule (1).

(4) Nothing contained in this rule shall affect the power of the appellate authority or the Appellate Tribunal to direct the production of any document, or the examination of any witness, to enable it to dispose of the appeal.

**29. Withdrawal of appeal filed before Appellate Tribunal: -** The appellant may, at any time before the issuance of the order under sub-section (2) of section 30 of the Act, in respect of any appeal filed, file an application for withdrawal of the said appeal:

Provided that where the acknowledgment has been issued, the withdrawal of the said appeal would be subject to the approval of the Appellate Tribunal and such application for withdrawal of the appeal shall be decided by the Appellate Tribunal within fifteen days of filing of such application:

Provided further that any fresh appeal filed by the appellant pursuant to such withdrawal shall be filed within the period specified in sub-section (1) of section 30 of the Act.

**30. Authorised representative. -** For the purposes of clause (c) of sub-section (2) of section 31 of the Act, no person shall be eligible to appear as an authorised representative unless he—

(a) is a Chartered Accountant holding a valid certificate of practice; or

(b) is a Company Secretary holding a valid certificate of practice; or

(c) is a Cost Accountant holding a valid certificate of practice; or

(d) is a retired officer of the Central Government or any State Government or Union territory who, during his service under the Government, had worked in a post not below the rank of a Group-B Gazetted officer for a period of not less than two years:

Provided that such retired officer shall not be entitled to appear before any proceedings under this Act for a period of one year from the date of his superannuation or resignation.

**31. Disqualification for misconduct of an authorised representative. -** Where an authorised representative is found, upon an enquiry into the matter, guilty of misconduct in connection with any proceedings under the Act, the Commissioner may, after providing him an opportunity of being heard, disqualify him from appearing as an authorised representative.

## CHAPTER XI

## MISCELLANEOUS

**32. Penalty for contravention.-** If it is found that the taxable person owns, operates or is in control of any machine or process for the purpose of manufacture or production of the specified goods without getting registered with the proper officer, then, the cess liability of such taxable person shall be determined on the basis of number of machines found available in the factory or presence of manual process unit, as the case may be, and unless evidence to the contrary is provided to the satisfaction of the proper officer, such machines or manual process unit shall be deemed to have been in operation, from 1st day of February, 2026, or the last two years whichever is later, for the purposes of rule 10 and dealt with accordingly.

**33. Installation of Closed-Circuit Television system. -** (1) Every registered person engaged in the manufacture of the specified goods shall install a functional Closed-Circuit Television (CCTV) surveillance system covering all areas where the packing machines are installed or the manual process units are located within the factory.

(2) All recorded footage shall be preserved for a minimum period of twenty-four months from the date of recording.

(3) The registered person shall, on written requisition, furnish the recorded CCTV footage to the proper officer or any officer authorised by him, within forty-eight hours of the receipt of such requisition.

**34. Removal of machines.**- (1) In case a registered person does not intend to further operate an installed machine, he shall intimate the same to the proper officer, at least three working days in advance from the date so intended, whereupon the same shall be uninstalled by the said proper officer, who shall supervise the removal of the machine from the factory:

Provided that in case it is not feasible to remove such a machine from the factory, it shall be sealed by the proper officer in such a manner that it cannot be operated.

[F. No. S-25014/2/2025-DS(ST)-DOR(Pt.5)]

MUTHURAMAN C, Under Secy.

**FORM HSNS REG-01**

[see rule 4(1)]

Application for Registration

**Part - A (Preliminary details) as per Table below:**

*(PAN to be verified online and OTP before proceeding to Part-B)*

**Table I**

| Sl. No. | Description | Input |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Legal Name of the Business (**As per PAN) ***** | |
| **2.** | **Goods and Services Tax Identification Number (GSTIN) (if any)**<br>(Enter GSTIN of the place where machines are located at Principal Place of Business/ Additional Place of Business) | |
| **3.** | **Central Excise Registration Number (if any)** | |
| **4.** | **Email Address*** | |
| **5.** | **Mobile Number*** | |

1, 4 & 5*- Mandatory Fields

**Part - B (Business and process details) as per Table below:**

*1. BUSINESS DETAILS*

**Table**

| Sl. No. | Description | Input |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Trade Name** (if any) | |
| **2.** | **Constitution of Business** (Select Appropriate) | ☐ Proprietorship<br>☐ Partnership<br>☐ Private Limited Company<br>☐ Public Limited Company<br>☐ LLP<br>☐ HUF<br>☐ Others |
| **3.** | **Date of Commencement of Business** | [DD/MM/YYYY] |
| **4.** | **Date on which liability to register arises** | [DD/MM/YYYY] |

*2. ADDRESS OF MANUFACTURING PREMISES (FACTORY) AS PER TABLE BELOW:*

**Table**

| Sl. No. | Description | Input |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Address Details** | |
| | Building No./ Flat No. | |
| | Name of Premises/Building | |
| | Road/Street/Lane | |
| | City/District | |
| | State/Union Territory [Drop Down] | |
| | PIN Code | |
| | Boundaries of the premises to be Registered (North/South/East/West) | |

| | | |
|---|---|---|
| **2.** | **Jurisdiction** (Commissionerate/Division/Range) [Drop Down] | |
| **3.** | **Nature of Possession of Premises** | ☐ Owned<br>☐ Leased<br>☐ Rented<br>☐ Consent<br>☐ Shared |

*3. CATEGORIZATION OF TAXABLE ACTIVITY AS PER TABLE BELOW:*

*Based on section 4 and Schedule II of the HSNS Cess Act, 2025*

**Table**

| **Sl. No.** | **Description** | **Input** |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Category of taxable person** | ☐ Wholly or partly machine-based process (Table 1 of Schedule II of the Act)<br>☐ Wholly Manual Process (Table 2 of Schedule II of the Act) |
| **2.** | **Nature of control over machines/process** | ☐ Owner<br>☐ Lessee<br>☐ Operator/Controller<br>☐ Job Worker |
| **3.** | **Description of specified goods**<br>(As per Schedule I) | ☐ Pan Masala (2106 90 20)<br>☐ Other Notified Goods |

*4. DETAILS OF PROMOTER /PARTNERS / DIRECTORS AS PER TABLE BELOW:*

**Table**

| Sl. No. | Description | Details |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Personal Details** | |
| | Name of Person | |
| | Designation (Proprietor/Partner/Director/Karta) | |
| | Permanent Account Number (PAN) | |
| | Residential Address | |
| | Mobile Number & Email | |
| | *Photo Upload* | |

*5. DETAILS OF AUTHORISED SIGNATORY AS PER TABLE BELOW:*

**Table**

| Sl. No. | Description | Details |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Personal Details** | |
| | Name of Person | |
| | Designation (Proprietor/Partner/Director/Karta) | |
| | Permanent Account Number (PAN) | |
| | Residential Address | |
| | Mobile Number & Email | |
| | *Photo Upload* | [Upload Button] |

*6. BANK ACCOUNT DETAILS AS PER TABLE BELOW:*

**Table**

| Sl. No. | Description | Input |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Bank Account** | |

| | | |
|---|---|---|
| | Account Number | [Number] |
| | Type of account [Current/Savings/CC] | |
| | IFSC code | [Text] |
| | Bank name and Branch | [Text] |

*VERIFICATION*

I _____ (Name of authorised signatory) hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom. I undertake to comply with the provisions of the **Health Security se National Security Cess Act, 2025** and the rules made thereunder.

Place: _____

Date: _____

Designation: _____

**List of Documents to be Uploaded (maximum 5 no. of documents each 2 mb(pdf/jpeg))**

1. **Proof of Constitution of business:** (Partnership Deed, Certificate of Incorporation, etc.) (pdf)
2. **Proof of address of premises:** (Property Tax Receipt, Electricity Bill, Rent/Lease Agreement) (pdf)
3. **Photo of Promoters/Partners/Directors (jpeg)**
4. **Proof of bank account:** (Cancelled cheque or first page of passbook) (pdf)
5. **Authorisation letter:** For the authorised signatory (pdf)

FORM HSNS REG-02

[See rule 5(4)]

REGISTRATION CERTIFICATE

**1. Registration Number:** [ABCDE1234FHS001]

**2. Legal Name:** [Name of Sole Proprietor / Company / Partnership / HUF]

**3. Trade Name, if any:** [Trade Name]

**4. Constitution of Business:** [Proprietorship / Partnership / Pvt. Ltd / Public Ltd / LLP / HUF]

**5. Address of Premise (Factory):** [Full Address of the premises where machines/processes are located]

This is to certify that the person whose details are specified above has been registered under the provisions of the Health Security se National Security Cess Act, 2025, having acknowledged that they:

(i) Owns/possesses/operates/manages/controls the packing machines installed at the above premises; or

(ii) Undertake the manual process at the above premises;

by which the Specified Goods (as defined in Schedule I of the Act) are manufactured or produced.

**6. Nature of Possession of Premises/Machines:** [Owned / Leased / Rented / Shared / Consent]

**7. Date of Issue of RC** : DD/MM/YYYY

**8. Date from which the liability of payment of cess starts** : DD/MM/YYYY

**9. Jurisdiction Details:**

- **Commissionerate : [Code - Name]**
- **Division : [Code - Name]**
- **Range : [Code - Name]**

**Conditions:**

1. This Registration Certificate is valid only for the premises and purposes specified in the application

2. The registration certificate is not transferable.

3. No corrections in the certificate will be valid unless the request for any correction/change is applied for and the same is acknowledged.

4. This certificate shall remain valid till the Registrant carries on the activity for which it has been issued or it is cancelled.

5. The grant of this certificate shall be without prejudice to the rights of any other person (s) over the registered premises or purpose to which such person may be lawfully entitled.

**Note:**

1. This is a system-generated copy of the Registration certificate. Hence, there is no need for the signature/ stamp of the officer on it.

2. The Registration is subject to post facto verification of the details by the proper officer.

**FORM HSNS DEC- 01**

**[See rule 9]**

**Declaration of machines installed or processes undertaken for the manufacture or production of the specified goods**

1. **Basic information as per Table below:**

**Table**

| | | |
|---|---|---|
| 1. | HSNS Registration No. | _____ |
| 2. | Legal Name | |
| 3. | Trade Name, if any | |
| 4. | Address of the Factory / Premises | |
| 5. | GSTIN | |
| 6. | Date of Filing | DD / MM / YYYY |

**2. Declaration type (Tick one)**

[ ] Initial declaration (Section 9(1))

[ ] Change in declaration (Section 9(2) - Change in parameters)

[ ] New Installation / Addition / Commencement of operation of any machine or process (Section 9(3))

**3. Details of specified goods manufactured as per Table below:**

*(Refer to Schedule I of the Act) (To be fetched from Master)*

**Table**

| Sl. No. | Chapter/ Heading/ Sub-heading/ Tariff item | Description of goods (e.g., Pan masala) | Brand Name(s) |
|---|---|---|---|
| 1 | | | |
| 2 | | | |

**4. Details of machines installed (For Machine-based processes) as per Table A or B below:**

*(Relevant for computation of cess under Table I of Schedule II of the Act)*

**Table A: Existing machines**

| **Sl. No.** | **Make** (if available) | **Model No.** (if available) | **Name of manufacturer** | **Machine No.** | **Date of purchase** | **No. of tracks** (only for vertical machines) | **Gear Box Ratio of the Machine** | **Revolution Per Minute of main motor** | **Number of Funnels** (only for horizontal machines) | **Nature of Packing** (e.g., Pouch, Tin, Container) | **Weight of packages that can be packed on the machine** (in grams) | **Packing capacity of each track or Funnel** (No. of packages which can be packed for a particular weight of package in a minute) | **Total packing capacity** of the machine for a specific weight of package to be packed in a minute (Maximum Rated Speed) [7X13] or [10 X 13] | **Electricity consumption capacity** of the machine per hour (KWH) | **Registration No. of the machine** (To be generated at the time of submission) | **Working status** (Y/N) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** | **(7)** | **(8)** | **(9)** | **(10)** | **(11)** | **(12)** | **(13)** | **(14)** | **(15)** | **(16)** | **(17)** |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

**Table B: Newly Added Machines (If applicable)**

| **Sl. No.** | **Make** | **Model No.** | **Name of manufacturer** | **Machine No.** | **Date of purchase** | **No. of tracks** (only for vertical machines) | **Gear Box Ratio of the Machine** | **Revolution Per Minute of main motor** | **Number of Funnels** (only for horizontal machines) | **Nature of Packing** (e.g., Pouch, Tin, Container) | **Weight of packages that can be packed on the machine** (in grams) | **Packing capacity of each track or Funnel** (No. of packages which can be packed for a particular weight of package in a minute) | **Total packing capacity** of the machine for a specific weight of package to be packed in a minute (Maximum Rated Speed) [7X13] or [10 X 13] | **Electricity consumption capacity** (KWH) | **Registration No. of the machine** (To be generated at the time of submission) | **Working status** (Y/N) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** | **(7)** | **(8)** | **(9)** | **(10)** | **(11)** | **(12)** | **(13)** | **(14)** | (15) | (16) | (17) |
| 1 | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | |

**5. Change in details [For declaration under section 9(2)] as per Table below:**

*(Enter the serial No. of the machine and the previously given details in table 4 will be auto-fetched. The details in the rows where parameters have been changed may be edited)*

**Table**

| **Sl. No.** | **Registration No. of the machine** (Generated in column 16 of Table III or Table IV during submission) | **Location of installation** | **No. of tracks** (only for vertical machines) | **Nature of Packing** (e.g., Pouch, Tin, Container) | **Gear Box Ratio of the Machine** | **Revolution Per Minute of main motor** | **Number of Funnels** (only for horizontal machines) | **Weight of packages which can be packed on the machine** (in grams) | **Packing capacity of each track or Funnel** (No. of packages which can be packed for a particular weight of package in a minute) | **Total packing capacity** of the machine for a specific weight of package to be packed in a minute (Maximum Rated Speed) [4X10] or [8X10] | **Electricity consumption capacity** of the machine per hour (KWH) | **Working status** (Y/N) | **Date of change in any parameter listed.** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** | **(7)** | **(8)** | **(9)** | **(10)** | **(11)** | (12) | (13) | **(14)** |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

**6. Details of the intimation of the machines furnished to other departments as per Table below:**

**Table**

| Sl. No. | Date of intimation | Name of Govt. department / any other agency or organisation. | Details of declaration (Proof to be uploaded as pdf) |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| | | | |

**7. Disposal of packing machines** (To be filed as an amendment), **as per Table below:**

**Table**

| Sl. No. | Registration No. of the machine | Date of disposal | Reason of disposal |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| | | | |

**8. Details of manual processes (If applicable), as per Table below:**

*(Relevant for computation of Cess under Table 2 of Schedule II of the Act)*

*Note: This section applies only if specified goods are manufactured wholly by manual process without the aid of any machine as specified in section 5(5) of the Act.*

**Table**

| Sl. No. | Description of Process | Location / Section within Factory | Nature of Packing (e.g., Pouch, Tin, Container) | Weight of Specified Goods Packed (in Grams) | Average Daily Production Capacity (Units) | Date of Commencement of Process |
|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1 | | | | | | |
| 2 | | | | | | |

**9. Documents uploaded (Maximum 5 documents, 2mb each (pdf))**

1. [ ] Technical specification sheet of machines (Manufacturer's manual)
2. [ ] Certificate from Chartered Engineer (certifying speed and capacity of the machines)
3. [ ] Layout plan of the factory indicating machine locations
4. [ ] Other Department Intimation Declaration
5. [ ] Others: _____

**10. Verification**

I, _____ (Name of Authorised Signatory), son/daughter of _____, hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge

and belief and nothing has been concealed therefrom. I understand that any false declaration is liable for penal action under Chapter VI of the Health Security se National Security Cess Act, 2025.

Place: _____

Date: _____

Name: _____

Designation: _____

**FORM HSNS CE-01**

**[See rule 10]**

**Certificate of Chartered Engineer**

1. **Details of the taxable person as per Table below:**

**Table**

| | |
|---|---|
| **1. HSNS Registration No.** | _____ |
| **2. Legal Name** | _____ |
| **3. Trade Name** | _____ |
| **4. Address of Factory** | _____ |

**2. Details of machines examined ,as per Table below:**

*(To be filled by the Chartered Engineer after physical verification of the machines installed at the factory premises)*

**Table**

| **Sl. No.** | **Make / Model** | **Name of Manufacturer** | **Machine No. (Serial No.)** | **Machine Reg. No. (If already assigned by System)** | **No. of Tracks** | **Gear Box Ratio of the Machine** | **Revolution Per Minute of main motor** | **Number of Funnels** | **Nature of Packing (Pouch/ Tin/ etc.)** | **Weight of Package (in Grams)** | **Packing Capacity of EACH Track (Packages per minute)** | **Total Packing Capacity of the Machine (Maximum Rated Speed) (Packages per minute)** | **Electricity Consumption Capacity (KWH)** | **Remarks** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** | **(7)** | **(8)** | **(9)** | **(10)** | **(11)** | **(12)** | **(13)** | **(14)** | **(15)** |
| 1 | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |

**3. Certification**

I hereby certify that:

1. I have personally examined the **____ (number)** machines listed in the table above at the factory premises of the _____ on **_____ (Date of Inspection)**.

2. The details furnished in the table above, specifically the **maximum rated speed** (Column 10) and **weight of package** (Column (8)), are true and correct to the best of my knowledge and belief based on the technical specifications and physical verification of the machines.

3. I have verified that the machines are capable of the production speeds declared herein.

4. Nothing has been concealed or misrepresented regarding the capacity of the machines which would impact the liability of cess under the Health Security se National Security Cess Act, 2025.

Date: _____

Place: _____

**(Signature of Chartered Engineer)**

Name: _____

Membership / Registration No.: _____

Address: _____

Mobile No.: _____

Email ID: _____

**Instructions for the Chartered Engineer:**

1. **Column 10 (Nature of packing):** Specify clearly if the machine packs in pouches, tins or containers, as the definition of "Weight" in Section 2(s) of the Act applies to these specific containers.

2. **Column 13 (Total packing capacity):** This is the **maximum rated speed**. It should be calculated as: (Capacity per track) × (Number of tracks). This figure determines the Cess slab in Schedule II of the Act.

3. **Modifications:** If a machine has been modified to alter its speed or capacity, the certificate must reflect the *current* actual maximum capacity, not just the manufacturer's original specification.

**FORM HSNS PMT-01**

[see rule 13(1)]

DRAFT CHALLAN FORMAT

1. **Taxpayer details as per Table below**

**Table**

| | | | |
|---|---|---|---|
| **Registration Number** | | **e-mail address** | |
| **Mobile No.** | | **Taxpayer Name** | |
| **Address** | | | |

**2. Challan identification as per Table below:**

**Table**

| | | | |
|---|---|---|---|
| **CTIN** | | | |
| **CTIN date** | | **CTIN expiry date** | |

**3. Jurisdiction details as per Table below:**

**Table**

| | |
|---|---|
| **Commissionerate** | |
| **Commissionerate code** | |

| | |
|---|---|
| **Division** | |
| **Division Code** | |
| **Range** | |
| **Range Code** | |

**4. Duty payment details as per Table below:**

**Table**

| Duty Heads | Accounting Code | Accounting Code Type | Amount |
|---|---|---|---|
| **HSNS CESS** | | | |
| **INTEREST** | | | |
| **PENALTY** | | | |
| **Total Amount** | | | **[Auto Calc]** |

**Total challan amount (in words):**

_____

Note: Separate Fields for Interest & Penalty to be included.

**FORM HSNS RET-01**

**[See rule 14(1)]**

Monthly return for payment of Health Security se National Security Cess

**1. Basic information as per Table below:**

**Table**

| Sl. No. | HSNS Registration No. | Particulars |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Legal Name** | |
| **2.** | **Trade Name** | |
| **3.** | **GSTIN** | |
| **4.** | **Return Period** | Month: _____ Year: _____ |
| **5.** | **Date of Filing** | |

**2. Details of cess payable for the month (Machine-based) as per the Table below:**

*(Relevant for computation of cess under section 5(2) read with Table I of Schedule II of the Act)*

**Note:** The cess is calculated based on the maximum rated speed and weight of the specified goods (e.g., Pan Masala) as declared in Form HSNSDEC-I.

**Table**

| Sl. No. | Machine Registration No. [A dropdown box containing registered No. of machines will be shown in the rows] | Machine Status | | | Applicable Monthly Cess Rate (As per Schedule II) (Rs.) | Total Cess Payable (Rs.) |
|---|---|---|---|---|---|---|
| | | Working Status for the Month (Yes/No) | Date of Sealing [DD/MM/YYYY] | Date of Desealing [DD/MM/YYYY] | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | |
| | | | | | | |
| ... | | | | | | |
| **Total** | | | | | | **(A)** |

**3. Details of cess payable for the month (Wholly manual process) as per Table below:**

*(Relevant for computation of cess under section 5(4) read with Table 2 of Schedule II of the Act)*

**Table**

| Whether the manual process is undertaken Yes/No | Applicable monthly cess payable (Fixed) |
|---|---|
| (1) | (2) |
| | |
| Total | (B) |

**4A. Details of abatement claimed as per order issued in previous month (Machine-based) as per the Table below:**

**Table**

| Sl. No. | Machine Registration No. (System Generated) [A dropdown box containing the registered No. of machines will be shown in the rows] | Details of Abatement Order Issued in the previous month (Order No. and Date) | Amount ordered to be abated by the proper officer under rule 15(3) |
|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** |
| 1 | | | |
| 2 | | | |
| ... | | | |
| **Total** | | | **(C1)** |

**4B. Details of abatement (Manual process) as per Table below:**

**Table**

| **Details of Abatement Order Issued in the previous month (Order No. and Date)** | **Amount ordered to be abated by the proper officer under rule 15(3)** |
|---|---|
| **(1)** | **(2)** |
| | |
| | **(C2)** |

**5. Summary of liability and payment as per Table below:**

**Table**

| **Sl. No.** | **Description** | **Amount (Rs.)** |
|---|---|---|
| **(1)** | **(2)** | **(3)** |
| **1.** | **Total cess payable on machines (A)** | |
| **2.** | **Total cess payable on manual process (B)** | |
| **3.** | **Less: Net abatement claimed (C=C1+C2)** | |
| **4.** | **Net cess payable (D=A+B-C)** | |
| **5.** | **Interest for delayed payment (if applicable as per section 17 of the Act) (E)** | |
| **6.** | **Penalty (if applicable) (F)** | |
| **7.** | **Total Amount payable (G=D+E+F)** | |

**6. Cess payment details as per Table below:**

**Table**

| Sl. No. | Challan No. (CIN) | Date of Payment | Bank Name | Amount (Rs.) |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| 1 | | | | |
| 2 | | | | |

**7. Verification**

I, _____ (Name of Authorized Signatory), son/daughter of _____, hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom. I understand that the Cess has been self-assessed as per the capacity determined under section 5 of the Act.

Place: _____

Date: _____

Name: _____

Designation: _____

**Instructions for filling FORM HSNSRET-I:**

**Instructions for filling FORM HSNSRET-I**

1. Return Period (Table in Sl. No. 1): The monthly return is to be filed by the 20th of the following month.

   Example: If you are filing the return for the month of October 2026, you must submit the same by 20th November and mention 'October 2026' for the 'Return Period' in row No. 5 of the Table in Sl. No. 1.

2. Machine Details (Table in Sl. No. 2): The details in the Table should be for the return period.

   - Machine Registration No: Select the unique Machine ID generated in Form HSNSDEC-I (Declaration Form).
   - Applicable Rate: Refer to Schedule II of the Act. Determine the applicable tax slab based on the machine's Maximum Rated Speed and the Weight of the pouch/tin/container.
   - Date of Sealing/Desealing: Enter specific dates only if the machine was sealed or de-sealed by the proper officer during the return period.

3. Abatement Claim (Table in Sl. No. 4A & 4B): Use this section to report abatement amounts that are being adjusted in the return period.

   **Example:** If you are filing the return for the month of October 2026, you will mention the details of the abatement order received in September. The period of abatement shall be as specified in the abatement order which may be July/August.

   4. The abated amount should be adjusted/subtracted from the amount of cess payable for the return period. The same shall be specified in the table in Sl. No. 5 (row No. 3)

   Example: If you are filing the return for the month of October 2026, you will mention the details of the abatement order received in September. The period of abatement shall be as specified in the abatement order which may be July/August. The amount ordered to be abated should be adjusted/subtracted from the total cess payable for the return period (i.e., October, 2026) to obtain the net amount of cess payable for the return period (i.e., October, 2026).

5. Payment Details (Table in Sl. No. 6): Enter the details of the specific Challan(s) used to discharge the Cess liability for the return period. If you are filing the return for the month of October 2026, the payment made by 7th October should be specified.

FORM HSNS BND-01

[See rule 21(1)]

BOND FOR RELEASE OF SEIZED GOODS OR PACKING MACHINES

I/We.....of.....he reinafter called "obligor(s)" am/are held and firmly bound to the President of India (hereinafter called "the President") in the sum of.....rupees to be paid to the President for which payment will be made. I/We jointly and severally bind myself/ourselves and my/our heirs/executors/administrators/legal representatives/successors and assigns by these presents; dated this.....day of.....

WHEREAS in accordance with the provisions of sub-section (8) of section 24 of the Health Security se National Security Cess Act, 2025, the specified goods / packing machines have been seized vide order number.....dated.....having value .....rupees involving an amount of cess of .....rupees.

On my/our request, the specified goods / packing machines have been permitted to be released provisionally by the proper officer on execution of the bond of value .....rupees and a security of .....rupees against which cash/bank guarantee has been furnished in favour of the President; and

WHEREAS I/We undertake to produce the said specified goods / packing machines released provisionally to me/us as and when required by the Proper Officer duly authorized under the Act.

And if all cess, interest, penalty, fine and other lawful charges demanded by the proper officer are duly paid within ten days of the date of demand thereof being made in writing by the said proper officer, this obligation shall be void.

OTHERWISE and on breach or failure in the performance of any part of this condition, the same shall be in full force:

AND the President shall, at his option, be competent to make good all the losses and damages from the amount of the security deposit or by endorsing his rights under the above-written bond or both;

IN THE WITNESS THEREOF these presents have been signed on the day hereinbefore written by the obligor(s).

Signature(s) of obligor(s).

Date: .....

Place: .....

Witnesses:

(1) Name and Address:

.....

Signature: .....

(2) Name and Address:

.....

Signature: .....

---

Accepted by me this.....day of ..... (month).....(year) .....(designation of officer) for and on behalf of the President of India.

(Signature of the Proper Officer)

**Form HSNS APL 01**

(see rule 23)

**Form of appeal to the appellate authority under section 29 of the Act**

1. No. ……of……20…..

2. Name and address of the appellant.

3. Designation and address of the officer passing the decision or order appealed against and the date of the decision or order.

4. Date of communication of the decision or order appealed against to the appellant.

5. Address to which notices may be sent to the appellant.

6. (i) Description and classification of specified goods

   (ii) Period of dispute

   (iii) Amount of cess, if any, demanded for the period mentioned in item (ii)

   (iv) Amount of abatement/refund if any claimed for the period mentioned in item (i)

   (v) Amount of fine imposed.

   (vi) Amount of penalty imposed

   (vii) Market value of seized goods.

7. Whether cess or penalty or both is deposited; if not whether any application for dispensing with such deposit has been made. (A copy of the challan under which the deposit is made shall be furnished).

8. Whether the appellant wishes to be heard in person?

9. Reliefs claimed in appeal.

10. Statement of facts…….

11. Grounds of appeal……

Signature of the

Authorise Representative, if any Signature of the applicant

**Verification**

I…….the appellant, ……do hereby declare that what is stated above is true to the best of my information and belief.

Verified today, the …….day of…….

Place…….

Date……

Signature of the Authorised Signature of the applicant. Representative, if any

Note.- (1) The grounds of appeal and the form of verification shall be signed by the appellant in accordance with the provisions of rule 23.

(2) The form of appeal including the statement of facts and the grounds of appeal shall be accompanied by a copy of the decision or order appealed against.

**Form HSNS APL 02**

[See rule 27]

**Form of appeal to Appellate Tribunal under section 61 of the Act**

IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL

APPEAL No…… of ……20…

……Appellant

Vs

……..……Respondent

1 (i) Registration No. ……..

(ii) Jurisdictional Range/ Division / Commissionerate / Zone

(iii) E-mail Address

(iv) Phone No.

2. The designation and address of the authority passing the order appealed against.

3. Number and date of the order appealed against.

Dated

4. Date of communication of a copy of the order appealed against.

5. State or Union territory and the Commissionerate in which the order or decision of assessment, penalty, fine was made.

6. If the order appealed against relates to more than one Commissionerate, mention the names of all the Commissionerates, so far as it relates to the appellant.

7. Designation and address of the adjudicating authority in case where the order appealed against is an order of the Commissioner (Appeals).

8. Address to which notices may be sent to the appellant

9. Address to which notices may be sent to the respondent.

10. Whether the decision or order appealed against involves any question having a relation to computation of cess.

11. Description and classification of goods

12. Period of dispute.

13. (i) Amount of cess, if any, demanded for the period of dispute .

(ii) Amount of interest involved up to the date of the order appealed against.

(iii) Amount of refund, if any, rejected or disallowed for the period of dispute

(iv) Amount of fine imposed.

(v) Amount of penalty imposed.

(vi) Market value of seized goods.

14. (i) Amount of cess or fine or penalty or interest deposited. If so, inform the amount deposited under each head in the box below. (A copy of the challan under which the deposit is made shall be uploaded)

| Cess | Fine | Penalty | Interest |
|---|---|---|---|
| | | | |

(ii) If not, whether any application for dispensing with such deposit has been made

15. If the appeal is against an Order-in-Appeal of Commissioner (Appeals), the number of Orders-in-Original covered by the said Order-in-Appeal.

16. Whether the respondent has also filed appeal against the order against which this appeal is made?

17. If answer to serial number 16 above is 'yes', upload the details of the appeal.

18. Whether the appellant wishes to be heard in person?

19. Reliefs claimed in appeal.

20. Statement of facts

21. Grounds of appeal

Signature of the Authorised Representative, if any

Signature of the applicant.

**Verification**

I, …… the appellant, do hereby declare that what is stated above is true to the best of my information and belief.

Verified today, the …….. day of ……. 20……

Signature of the Authorised Representative, if any

Signature of the applicant.

Notes.- (1) The grounds of appeal and the form of verification shall be signed by the appellant in accordance with rule 27.

(2) The appeal including the statement of facts and the grounds of appeal shall be filed in accompanied by a certified copy of the order appealed against.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

GORAKHA NATH YADAVA
Digitally signed by GORAKHA NATH YADAVA
Date: 2026.01.02 12:49:59 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಅಫೀಫಾ ಉಸ್ಮಾನಿ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-08**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 02 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026.

ದಿನಾಂಕ: 12.01.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the National Sports Governance (National Sports Bodies) Rules, 2026ನ GSR 18(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF YOUTH AFFAIRS AND SPORTS**

**(DEPARTMENT OF SPORTS )**

**NOTIFICATION**

**New Delhi, the , 2026**

**G.S.R. 18 (E).—** In exercise of the powers conferred by sub-section (1) and clauses (a), (b), (c), (k), (m), (n) and (t) of sub-section (2) of section 31 of the National Sports Governance Act, 2025 (25 of 2025), the Central Government hereby makes the following rules, namely:–

## CHAPTER 1

## PRELIMINARY

**1. Short title and commencement. —** (1) These rules may be called the National Sports Governance (National Sports Bodies) Rules, 2026.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

2. **Definitions. —** (1) In these rules, unless the context otherwise requires, —

(a) "Act" means the National Sports Governance Act, 2025 (25 of 2025);

(b) "Central Government" shall mean the Department of the Central Government which has been allocated the subject matter of sports under the Government of India (Allocation of Business) Rules, 1961;

(c) "Elected Post" means all posts on the Executive Committee, other than, —

(i) the posts reserved for representatives of the Athletes Committee under sub-clause (ii) of clause (b) under sub-section (1) of section 4 of the Act; and

(ii) the posts to be occupied by *ex officio* members under sub-clause (iii) of clause (b) under sub-section (1) of section 4 of the Act;

(d) "Election Rules" means the rules applicable to Elections to the Executive Committees as specified in Schedule II;

(e) "Electoral Officer" means the person notified under sub-section (1) of section 16 of the Act;

(f) "Executive Committee" means the committee constituted in every National Sports Body pursuant to clause (b) of sub-section (1) of section 4 of the Act;

(g) "General Body" means the body constituted in every National Sports Body pursuant to clause (a) of sub-section (1) of section 4 of the Act;

(h) "National Sports Board" means the Board established pursuant to section 5 of the Act;

(i) "Schedule" means the schedule annexed to these rules; and

(j) "Sportspersons of outstanding merit Eligibility Rules" means the eligibility rules for sportspersons of outstanding merit as specified in Schedule I.

(2) Words and expressions used in these rules and not defined herein but defined in the Act, shall have the meanings respectively assigned to them in the Act.

## CHAPTER 2

## SPORTSPERSONS OF OUTSTANDING MERIT

**3. Representation of sportspersons of outstanding merit in the General Body. —** (1) The General Body of each National Sports Body shall include, as voting members, at least four, or any other higher even number, of sportspersons of outstanding merit, of which fifty per cent. shall be male sportspersons of outstanding merit and fifty per cent. shall be female sportspersons of outstanding merit.

(2) The manner of election or nomination of sportspersons of outstanding merit under sub-rule (1) may be specified in the bye-laws of the relevant National Sports Body.

**4. Representation of sportspersons of outstanding merit in the Executive Committee. —** The sportspersons of outstanding merit to be included in the Executive Committee pursuant to sub-clause (i) of clause (b) to sub-section (1) of section 4 of the Act, shall be elected to the Executive Committee in accordance with rule 9.

**5. Eligibility criteria and application. —** (1) The National Sports Body shall call for applications for persons to be considered as sportspersons of outstanding merit and such call for applications shall specify the General Eligibility Criteria and Tiered Eligibility Criteria as specified in Schedule I, pursuant to which the sportspersons of outstanding merit rosters shall be populated.

(2) Any person seeking to submit an application to be a sportsperson of outstanding merit shall satisfy the General Eligibility Criteria as specified in the Sportspersons of outstanding merit Eligibility Rules under Schedule I, and submit an application within a period of sixty days from the issuance of the call for applications, to the relevant National Sports Body, in such form and containing such information as may be specified by the relevant Executive Committee or in the bye-laws of such National Sports Body.

**6. Roster of sportspersons of outstanding merit. —** (1) On consideration of applications made under sub-rule (2) of rule 5, every National Sports Body shall prepare a roster of male sportspersons of outstanding merit and a roster of female sportspersons of outstanding merit, in respect of the designated sport concerning such body at least ninety days prior to the expiry of the term of such National Sports Body's incumbent Executive Committee.

(2) The roster of male sportspersons of outstanding merit and roster of female sportspersons of outstanding merit shall each include ten times the number of male sportspersons of outstanding merit or female sportspersons of outstanding merit, as the case may be, in the General Body of such National Sports Body.

(3) The National Sports Body shall adhere to the following procedure while populating the relevant sportspersons of outstanding merit roster, as applicable for male sportspersons of outstanding merit and female sportspersons of outstanding merit, namely :-

(a) in the first instance, all applicants who satisfy the General Eligibility Criteria and Tier 1 of the Tiered Eligibility Criteria set forth in Schedule I, shall be included in the relevant sportspersons of outstanding merit roster;
(b) in the event that the sportspersons of outstanding merit roster, pursuant to clause (a), cannot be populated to meet the threshold specified in sub-rule (2), the National Sports Body shall include such applicants who satisfy the General Eligibility Criteria and the Tiered Eligibility Criteria in the Tier level immediately following the level last considered, in a sequential manner, until the number of applicants included in the relevant sportspersons of outstanding merit roster satisfies such threshold;

(c) where the number of sportspersons of outstanding merit, pursuant to the use of a particular Tier, exceeds the threshold specified in sub-rule (2), then the eldest applicant by age shall receive preference and priority in selection from among the group of candidates qualifying under such Tier; and

(d) where the National Sports Body is unable to populate the relevant sportspersons of outstanding merit roster to meet the threshold specified under sub-rule (2) based on the steps under clauses (a) to (c), it may issue another call for applications in accordance with sub-rule (1) of rule 5 or frame and adopt additional tiered criteria for such sportspersons of outstanding merit roster, which shall be based on the principles used in Schedule I.

(4) The sportspersons of outstanding merit rosters, as finalised in accordance with this rule, shall be published on the official website of the relevant National Sports Body and submitted to the National Sports Board.

(5) Any person appearing on a sportspersons of outstanding merit roster shall be considered a sportsperson of outstanding merit in respect of such National Sports Body for the purposes of the Act and the rules thereunder.

## CHAPTER 3

## GENERAL BODY AND EXECUTIVE COMMITTEE

**7. Composition of the General Body. —** (1) The General Body of every National Sports Body shall have the following categories of members, namely:-

(a) at least four sportspersons of outstanding merit;

(b) *ex officio* members as specified in the bye-laws of the National Olympic Committee in the case of the National Olympic Committee;

(c) in the case of the National Olympic Committee, representatives of each National Sports Federation registered as an affiliate unit with the National Sports Board;

(d) in case of a National Sports Body other than the National Olympic Committee, representatives of each State level affiliate unit registered with the National Sports Board; and

(e) any other category of persons as may be provided by the bye-laws of a National Sports Body, in accordance with the relevant International Charters and Statutes as issued by the International Olympic Committee, or as required by the relevant International Sports Body.

(2) The election or nomination of sportspersons of outstanding merit to the General Body, as specified under clause (a) of sub-rule (1), shall be undertaken at least seventy-five days prior to the expiry of the term of the incumbent Executive Committee of the relevant National Sports Body.

**8. Term of office and composition of the Executive Committee. —** (1) The term of office of an Executive Committee of each National Sports Body as determined by the bye-laws of the relevant body, shall not exceed four years.

(2) The bye-laws of a National Sports Body specifying its composition shall ensure that at least one of the sportspersons of outstanding merit on the Executive Committee and one of the representatives from the Athletes Committee on the Executive Committee, shall be a woman.

(3) Every National Sports Body may, through its bye-laws, reserve specific posts for women in the Executive Committee, to ensure compliance with the first proviso to clause (b) of sub-section (1) of section 4 of the Act.

**9. Procedure governing election to Executive Committee. —** (1) The election to all Elected Posts in the Executive Committee shall be conducted at least once every four years, in a fair and transparent manner and in accordance with the Election Rules in Schedule II.

(2) Unless otherwise specified in the International Charters and Statutes, the Executive Committee shall, by resolution, appoint an Electoral Officer from the National Sports Election Panel, at least sixty days prior to the expiry of such Executive Committee's term, for the preparation of the electoral roll and conduct of elections to the Executive Committee and to the Athletes Committee.

(3) The Executive Committee shall, in consultation with the Electoral Officer appointed under sub-rule (2), notify the date for elections, at least fifty days prior to the expiry of such Executive Committee's term.

(4) The Electoral Officer shall be responsible for ensuring smooth conduct of the elections to the Executive Committee of the National Sports Body in compliance with the Election Rules under Schedule II.

(5) The National Sports Body shall provide the requisite number of administrative staff as specified by the Electoral Officer to assist such officer to conduct the elections to the Executive Committee.

(6) The National Sports Body shall adhere to the timelines specified in these rules and as summarised below in order to conduct an election for its Executive Committee:

| Rule/Clause | Event | Timeline |
|---|---|---|
| Rule 5(2) | Submission of application to be a sportsperson of outstanding merit | Within sixty days of the call for applications under sub-rule (1) of rule 5. |
| Rule 6(1) | Preparation of a roster of male sportspersons of outstanding merit and a roster of female sportspersons of outstanding merit | At least ninety days prior to the expiry of the term of the incumbent Executive Committee. |
| Rule 7(2) | Election or nomination of sportspersons of outstanding merit to the General Body | At least seventy-five days prior to the expiry of the term of the incumbent Executive Committee. |
| Rule 9(2) | Appointment of an Electoral Officer | At least sixty days prior to the expiry of the term of the incumbent Executive Committee. |
| Rule 9(3) | Notification of election date | At least fifty days prior to the expiry of the term of the incumbent Executive Committee. |
| Rule 10(5) | Preparation and release of draft electoral roll | At least forty-five days prior to the expiry of the term of the incumbent Executive Committee. |
| Clause 5(i) of Schedule II | Call for elections, release of final electoral roll and invitation for nominations | At least thirty days prior to the expiry of the term of the incumbent Executive Committee. |

**10. Election to the Executive Committee. —** (1) Unless otherwise specified in the International Charters and Statutes, any person who meets the eligibility criteria under sub-section (2) of section 4 of the Act and is not subject to disqualification under rule 11 may contest for election to the Executive Committee of a National Sports Body.

(2) Members of the General Body of the National Olympic Committee as specified under sub-rule (1) of rule 7, shall be eligible to vote for the election to its Executive Committee as specified below, namely:-

(a) every individual sportsperson of outstanding merit shall have one vote;
(b) every individual *ex officio* member shall have one vote;
(c) every National Sports Federation that is registered with the National Sports Board as an affiliate unit of the National Olympic Committee, shall have a maximum of two votes, to be exercised by separate individual representatives of such affiliate unit; and
(d) for any category of persons specified under clause (e) of sub-rule (1) of rule 7, one vote for each such person.

(3) Members of the General Body of a National Sports Body other than the National Olympic Committee, as specified under sub-rule (1) of rule 7, shall be eligible to vote for the election to its Executive Committee as specified below, namely:-

(a) every individual sportsperson of outstanding merit shall have one vote;
(b) every State level affiliate unit of the National Sports Body that is registered with the National Sports Board, shall have a maximum of two votes, to be exercised by separate individual representatives of such affiliate unit; and
(c) for any category of persons specified under clause (e) of sub-rule (1) of rule 7, one vote for each such person.

(4) The electoral roll for an election to the Executive Committee shall consist of only such members or their representatives in the General Body of the relevant National Sports Body that have voting rights as per sub-rule (2) or sub-rule (3), as the case may be, and are not otherwise disqualified under the provisions of the Act or these rules.

(5) The draft electoral roll for the election shall be prepared and released by the Electoral Officer in consultation with the then current Executive Committee of the National Sports Body, at least forty-five days prior to the expiry of the term of such Executive Committee:

Provided that the Electoral Officer's decision shall be final and binding in respect of the inclusion or non-inclusion, as the case may be, of any person on the electoral roll.

(6) The Electoral Officer shall provide for at least seven days from the release of the draft electoral roll, to receive and respond to any objections regarding the composition of the final electoral roll.

**11. Disqualifications. —** (1) A person shall be disqualified from being a member of the General Body, or of any committee of a National Sports Body, and shall not be eligible for contesting for election to the Executive Committee or the Athletes Committee, if such person is-

(a) declared insolvent under applicable law; or
(b) subject to a conviction by a court of competent jurisdiction in India for an offence, followed by a sentence of imprisonment; or
(c) subject to a ban from holding any such position by an order of the Ethics Committee of such National Sports Body:

Provided that the disqualification in respect of -

(i) clause (a) shall be for the period of insolvency as applicable;
(ii) clause (b) shall be for a period of one full term of the Executive Committee after the completion of such sentence; and
(iii) clause (c) shall be for the duration of such ban.

(2) The bye-laws of a National Sports Body may provide that, in addition to the criteria specified under sub-rule (1), a person shall be disqualified from -

(a) being a member of the General Body or of any committee of such National Sports Body, or shall not be eligible for contesting elections to the Executive Committee or the Athletes Committee, if such person is a member of any other National Sports Body other than the National Olympic Committee; and
(b) being a member of the General Body or of any committee of such National Sports Body, where such person has not completed the cooling off period of one term after having held the position of President, Secretary General or Treasurer in any other National Sports Body.

## CHAPTER 4

## NATIONAL SPORTS ELECTION PANEL

**12. Roster of the National Sports Election Panel. —** (1)The National Sports Board shall maintain a roster of the National Sports Election Panel as notified under sub-section (1) of section 16 of the Act.

(2) The roster of the National Sports Election Panel shall at all times contain at least twenty members who satisfy the qualifications specified under sub-section (1) of Section 16 of the Act.

(3) The roster of the National Sports Election Panel shall be a public document within the meaning of section 74 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023).

**13. Fees payable to Electoral Officers. —** In respect of each election, the National Sports Body shall, on the basis of mutual agreement with the Electoral Officer, pay a maximum amount of rupees five lakhs as fees, along with fees of a mutually agreed amount for an assistant to such officer, if any.

## CHAPTER 5
## ATHLETES COMMITTEES, ETHICS COMMITTEES AND DISPUTE RESOLUTION COMMITTEES

**14. Provisions concerning Committees in bye-laws of National Olympic Committee. —**The bye-laws of the National Olympic Committee shall include provisions concerning the constitution, operation and procedures of an Athletes Committee, an Ethics Committee and a Dispute Resolution Committee, which shall -

(a) be in compliance with such guidelines as may be specified in the International Charters and Statutes; and
(b) in the absence of guidelines under clause (a), be guided by the model guidelines or regulations that may be specified by the National Sports Board from time to time.

**15. Provisions concerning Committees in bye-laws of National Sports Bodies. —** The bye-laws of each National Sports Body, other than the National Olympic Committee, shall include provisions concerning the constitution, operation and procedures of an Athletes Committee, Ethics Committee, and Dispute Resolution Committee, which shall -

(a) be in compliance with such guidelines as may be specified in the International Charters and Statutes;
(b) in the case of National Sports Bodies other than the National Olympic Committee, such guidelines as may be specified by the National Olympic Committee; and
(c) in the absence of guidelines under clauses (a) and (b), be guided by the model guidelines or regulations that may be specified by the National Sports Board from time to time.

## CHAPTER 6

## REGIONAL SPORTS FEDERATIONS

**16. Affiliation to be maintained by Regional Sports Federations. —** (1) Every Regional Sports Federation shall have an international recognition and affiliation of the concerned International Sports Body, unless a designated sport does not have an International Sports Body.

(2) Where there is more than one International Sports Body for the same sport, or where more than one Regional Sports Federation applies for recognition, the National Sports Board may take a decision on the matter of affiliation and recognition, based on reasons to be recorded in writing.

## CHAPTER 7
## AFFILIATE UNITS

**17. Registration of affiliate units. —** (1) Every National Sports Body shall facilitate the registration of each of its affiliate units with the National Sports Board subject to submission of the information and documents as set forth below, and in such form and manner as be specified by the National Sports Board from time to time:-

(a) copy of the certificate of affiliation issued by the National Sports Body in respect of such affiliate unit;
(b) copy of certificate of registration as a society, not-for-profit company or trust, as the case may be, under applicable laws;
(c) names and designations of all members of the governing body of the affiliate unit, by whatever name called; and
(d) any other information, as may be specified by the National Sports Board for the purposes of discharging its functions under the Act.

(2) Every affiliate unit of a National Sports Body shall ensure compliance with sub-rule (1) and further ensure registration of each of its affiliate units, with the National Sports Board, and the provisions of sub-rule (1) shall apply *mutatis mutandis* to each such unit.

(3) Every affiliate unit registered with the National Sports Board shall communicate any change in the information provided to such Board within a period of thirty days of such change.

## CHAPTER 8

## MISCELLANEOUS

**18. Miscellaneous**

(1) Every National Sports Body shall, within a period of six months, amend its bye-laws in conformity with the provisions of the Act.

(2) The Central Government may, on receipt of the application from a National Sports Body, relax the provisions of these rules for a period of twelve months from the commencement of these rules and reasons for such relaxation to be recorded in writing.

## SCHEDULE I

*(See rules 5 and 6)*

## SPORTSPERSONS OF OUTSTANDING MERIT ELIGIBILITY RULES

**1. General Eligibility Criteria. —** Any person seeking to be designated as a sportsperson of outstanding merit shall be -

(a) an Indian citizen;
(b) of sound mind;
(c) not less than twenty-five years of age; and
(d) retired from active sports and should have not participated in any competitive sport event which leads to selection to represent a district, State or India for at least one year prior to date of application under sub-rule (2) of rule 5.

**2. Tier Eligibility Criteria. —** (1) In case of applicants seeking inclusion to the sportspersons of outstanding merit roster of the National Olympic Committee, such applicant shall have achieved the milestone in the relevant Tier in an Olympic discipline only, while representing India.

(2) In case of applicants seeking inclusion to the sportspersons of outstanding merit roster of the National Paralympic Committee, such applicant shall have achieved the milestone in the relevant Tier in a Para-Olympic discipline only, while representing India.

(3) In case of applicants seeking inclusion to the sportspersons of outstanding merit rosters of any National Sports Body other than the National Olympic Committee or the National Paralympic Committee, such applicant shall have achieved the milestone in the relevant Tier in the designated sport concerning the National Sports Body only, while representing India, except in the case of Tier 10, where such applicant shall have represented a particular State.

(4) For the purposes of this Schedule, —

(a) References to "Summer Olympic Games", "Winter Olympic Games", "Commonwealth Games", "Asian Games" and "Asian Winter Games" in any of the Tiers below shall apply *mutatis mutandis* to "Summer Paralympic Games", "Winter Paralympic Games", "Para events that form a part of the Commonwealth Games", "Para-Asian Games" and "Winter edition of the Para-Asian Games (if any)";

(b) References to "sanctioned" refers to any competitive international event or match organised under the auspices, approval and sanctioning power of a relevant International Sports Body.

**Tier 1**

Applicants who have won at least one of any gold, silver or bronze medal in the Summer Olympic Games or Winter Olympic Games, provided that any medal if rescinded, shall not be considered for the qualification of having achieved outstanding merit, under this Tier.

**Tier 2**

Applicants who have participated in two or more editions of the Summer Olympic Games or Winter Olympic Games.

**Tier 3**

Applicants who have participated in at least one edition of the Summer Olympic Games or Winter Olympic Games.

**Tier 4**

Applicants who have been awarded a Major Dhyan Chand Khel Ratna Award or an Arjuna Award by the Central Government, provided that any award if rescinded or returned, shall not be considered for the qualification of having achieved outstanding merit, under this Tier.

**Tier 5**

Applicants who have won at least one of any gold, silver or bronze medal or equivalent placing, in a World Championship or equivalent competition, provided that any medal if rescinded, shall not be considered for the qualification of having achieved outstanding merit, under this Tier.

**Tier 6**

Applicants who have won at least one of any gold, silver or bronze medal or equivalent placing, in the Commonwealth Games or Asian Games or Asian Winter Games, provided that any medal if rescinded, shall not be considered for the qualification of having achieved outstanding merit, under this Tier.

**Tier 7**

Applicants who have won at least one of any gold, silver or bronze medal or equivalent placing, in an Asian Championship or equivalent competition, provided that any medal if rescinded, shall not be considered for the qualification of having achieved outstanding merit, under this Tier.

**Tier 8**

Applicants who have participated in at least five sanctioned international events (if individual sport) or five sanctioned international matches (if team sport).

**Tier 9**

Applicants who have participated in at least one sanctioned international event (if individual sport) or one sanctioned international match (if team sport).

**Tier 10**

Applicants who have who have won at least one of any gold, silver or bronze medal or equivalent placing in the National Games or a National Championship or equivalent competition.

## SCHEDULE II

*(See rule 9)*

## ELECTION RULES

**1. Definitions and Interpretation**

(i) In these Election Rules, unless the context otherwise requires,-

(a) "candidate" shall mean any candidate contesting for Election to an Elected Post;
(b) "election" shall mean an election conducted in accordance with these Election Rules for an Elected Post;
(c) "general meeting" shall mean a meeting of all members of the General Body of a National Sports Body, that is called and conducted in accordance with such National Sports Body's bye-laws; and
(d) "nomination" shall mean the process through which a candidate formally submits such candidate's interest to contest for an Election to an Elected Post in accordance with these Election Rules.

(ii) Any terms used in these Election Rules but not defined herein, shall have the meaning ascribed to them in the Act and the Rules.

**2. Scope and Applicability**

(i) These Election Rules apply to all Elections in the National Sports Body.
(ii) Any candidate, voting member or other participant in the election shall also be subject to the Act, and the National Sports Body's Code of Ethics if he is not otherwise already bound and covered by the same.

**3. Conduct of Elections**

(i) Elections shall generally take place at the Annual General Meeting of the National Sports Body and, where so required may also take place at a specially convened general meeting.
(ii) Elections shall always be by secret ballot.

**4. Electoral Officer**

(i) The Electoral Officer shall be responsible for supervising the administrative process relating to the elections, including,-
(a) ensuring the correct application of the Act, and these rules;
(b) setting reasonable deadlines for each stage of the elections in accordance with the model calendar provided under clause 5 of this Schedule, and enforcing such deadlines strictly;
(c) determining and distributing the appropriate documentation and forms, including nomination forms and ballot papers, for each stage of the elections and enforcing and verifying their proper use;
(d) distributing information to voting members, other members, the media and public;
(e) managing relations with government bodies or the National Sports Board and any observers as deputed by the National Sports Board;
(f) causing the publication of all notifications and forms concerning the elections on the official websites of the National Sports Body, the National Sports Board and the Ministry of Youth Affairs and Sports; and
(g) all other tasks necessary to ensure the smooth running of the electoral process.

(ii) The Electoral Officer may, only for reasons of practical necessity, modify the forms appended to this Schedule, while ensuring that the principles of this Schedule are adhered to.

**5. Calling elections and the electoral roll**

(i) Elections shall be called by the National Sports Body's Executive Committee in consultation with the Electoral Officer, at least thirty days prior to the expiry of such Executive Committee's term, in accordance with the relevant provisions of the National Sports Body's constitutional documents and shall be included in the agenda of the applicable general meeting.

(ii) The call for elections shall contain, at a minimum, the following:
   (a) the name of the Electoral Officer;
   (b) the final electoral roll prepared and released by the Electoral Officer pursuant to sub-rule (6) of rule 10 and in accordance with **Form 1** appended to these Election Rules.
   (c) the Elected Posts that are the subject of such Elections and any pre-requisites or qualifications for Candidates to contest such Elected Posts;
   (d) an invitation to file for nominations for Elected Posts by interested Candidates;
   (e) the nomination form to be submitted by interested Candidates which shall be in accordance with **Form 2** appended to these Election Rules; and
   (f) the electoral calendar which shall be in accordance with the model calendar specified in sub-clause (iii) below:

(iii) The Electoral Officer shall conduct the Elections in accordance with the following model calendar:

| Event | Day |
|---|---|
| Call for Elections, invitation for nominations and release of final electoral roll | Day 1 |
| Filing of nominations | Day 8 to Day10 |
| Announcement of draft list of nominations received | Day 10 |
| Objections to draft list of nominated candidates | Day 11 to Day 14 |
| Scrutiny and disposal of objections to Draft list of nominated candidates | Day 15 to Day 16 |
| Final list of nominated candidates | Day 17 |
| Withdrawal of nominations | Day 18 |
| Final list of contesting candidates | Day 19 |
| Polling and announcement of results | Day 21 |

(iv) The Electoral Officer may, only for reasons of practical necessity, modify the model calendar specified in sub-clause (iii), while ensuring that the elections are completed within a maximum period of twenty-one days.

**6. Nominations**

(i) The nomination of a candidate for election shall be proposed and seconded by persons on the electoral roll.

(ii) Every nomination form shall be delivered to the Electoral Officer in person by the candidate himself within the deadline specified.

(iii) No member shall nominate more than one candidate for the same Elected Post, either as proposer or seconder and, if he so does, only the first valid nomination shall be accepted, and all other nominations of such member, shall be deemed to be void and inoperative.

(iv) No person shall be permitted to withdraw his name as proposer or seconder, once the nomination form endorsed by him has been delivered to the Electoral Officer.

(v) The Electoral Officer shall prepare a list of all nominations received by him, Elected Post-wise in accordance with **Form 3** appended to these Election Rules.

**7. Scrutiny and Finalisation of Nominations**

(i) The Electoral Officer shall scrutinise each nomination form received by him and determine its validity or otherwise as per the Act, rules made thereunder, the National Sports Body's bye-laws.

(ii) During the scrutiny of nominations under sub-clause (i), each Candidate or one of his authorised representatives shall have the right to be present and raise any objection in relation to nomination of another Candidate for the Elected Post for which he has filed his nomination.

(iii) Pursuant to the scrutiny of nomination forms, the Electoral Officer shall prepare a list of validly nominated candidates in accordance with **Form 4** appended to these Election Rules.

(iv) Every candidate whose nomination has been found valid on scrutiny shall be entitled to withdraw his candidature prior to the commencement of the Election by providing notice to the Electoral Officer in accordance with **Form 5** appended to these Election Rules, and the Electoral Officer shall accept the notice of withdrawal if he is satisfied as to the genuineness of such notice.

(v) Any notice of withdrawal of candidature shall be final and shall not be allowed to be cancelled.

(vi) The Electoral Officer shall prepare the final list of contesting candidates in accordance with **Form 6** of these Election Rules.

(vii) The National Sports Body shall produce the ballot papers in accordance with **Form 7** appended to these Election Rules under the supervision and charge of the Electoral Officer.

(viii) The ballot papers shall be printed clearly and legibly, and the names of the contesting candidates shall be arranged, for each Elected Post, in alphabetical order according to the english alphabet.

**8. Campaign Practices**

(i) Electoral campaigns shall be carried out by the candidates in a fair manner and, in a spirit of respect for fundamental ethical principles.

(ii) Candidates shall conduct all campaigns with dignity and moderation and with respect for any other candidates, the National Sports Body and its members.

(iii) A Candidate shall not produce any spoken word, written text or representation of any nature likely to harm the image of another candidate or cause him prejudice, and criticism of other candidates, if made, shall be confined to their policies and programme, past record and work.

(iv) No Candidate shall engage in criticism based on unverified allegations or distortion against any other Candidate, and there shall be no appeal to caste or communal feelings for securing votes.

(v) Every Candidate may present to the members in the electoral roll, his plans and views for the Elected Post, in the form of a written document, which shall be published by the Electoral Officer in accordance with clause 4 (i) (g) of these Election Rules.

(vi) Candidates shall avoid excessive expenditure in campaigning, recognising that it could become a factor of inequality amongst the candidates.

(vii) The promotion of a candidate shall exclude any form of publicity, including the use of new media or social networks, and no public meeting or gathering of any kind may be organised in the process of promoting a candidature, and no use, free of charge or in return for payment, of the services of a journalist or the media may be made in order to place a candidate at an advantage or a disadvantage.

(viii) All candidates shall scrupulously avoid all activities that are "corrupt practices", including bribing of voters, intimidation of voters, impersonation of voters.

(ix) Candidates may, in no case and under no pretext, give presents, offer donations, gifts or grant advantages of whatever nature, directly or indirectly, to voting members.

(x) The incumbent Executive Committee member, shall ensure that no cause is given for any complaint that they have used their official position for the purposes of their election campaign and in particular shall not -

(a) use official transport including, vehicles, machinery and personnel for furtherance of their campaign;

(b) issue any advertisement at the cost of the National Sports Body or its members in the newspapers and other media or misuse the National Sports Body's official media channels during the elections;

(c) sanction grants or payments out of discretionary funds from the time elections are announced; and

(d) enter into any promise or undertaking to be performed, whatever the timing of such performance, for the direct or indirect benefit of any of the National Sports Body's members or its partners.

**9. Neutrality and Independence**

(i) As the voting is secret, voting members are prohibited individually or collectively, from announcing publicly, in any form whatsoever, their intention to vote or not vote for a candidate.

(ii) Incumbent Executive Committee members shall refrain from making any public declaration and may in no way support a candidate.

(iii) Candidates shall not -

(a) accept instructions from any person;

(b) accept direct or indirect assistance, be it financial, material or in kind, by any third party, or

(c) enter into any form of undertaking with any person likely to affect the freedom of decision or action of the Elected Post.

(iv) The National Sports Body's executive team and administration shall maintain a strict duty of neutrality at all times, and no support or service in relation to a candidature may be requested from any member of the National Sports Body's administration or staff.

**10. Polling**

(i) Where the number of contesting candidates for any Elected Post or category of Elected Post is equal to the number of Elected Posts to be filled, all such contesting candidates shall be deemed to be duly elected unopposed to those Elected Posts, and it shall not be necessary to take a poll for election to such Elected Post.

(ii) Where the number of contesting candidates for any Elected Post or category of Elected Post is more than the number of Elected Posts to be filled, a poll shall be taken by secret ballot for those Elected Posts remaining unfilled.

(iii) At the poll, members who are in the electoral roll, shall be entitled to,-

(a) cast one vote for each of the Elected Posts remaining unfilled, where only one such seat is to be filled; and

(b) cast as many votes as are the number of seats to be filled for an Elected Post, where more than one seat is to be filled.

(iv) The ballot papers shall contain the name(s) of the Candidate(s), and the voters must mark one candidate only.

(v) Every voter shall be required, before he is supplied with a ballot paper, to give his signature on the authenticated copy of the electoral roll for taking the poll.

(vi) Except for the circumstance under sub-clause (i), a secret ballot shall always be conducted, regardless of how many candidates there are, and the secrecy of the ballot shall be guaranteed by the provision of a procedure ensuring privacy for the voter, and the Electoral Officer shall conduct the distribution and counting of the ballot papers and be responsible for ensuring that the process is properly documented.

(vii) Voting members must vote in person where required.

(viii) The voter shall record his vote on the ballot paper in secrecy in a voting compartment specially provided for the purpose at the polling station.

(ix) The voter shall record his vote on the ballot paper by placing a tick mark against the name of the candidate of his choice, and the tick mark to indicate the vote shall be placed by the voter only by means of an article (such as a stamp) specifically provided for the purpose by the Electoral Officer.

(x) The ballot paper marked by a voter shall be deposited by him in a ballot box specially prepared and sealed by the Electoral Officer and placed at such a conspicuous place in the polling station that it shall be constantly visible to all present in the polling station.

(xi) The Electoral Officer shall close the poll at the designated time of closure, and such voters who are present at the polling station at the appointed closing hour, if any, shall be entitled to vote even if the poll proceedings have to be extended for sportspersons of outstanding merit more time.

(xii) The number of ballot papers that have been distributed shall be announced by the Electoral Officer before the commencement of the voting, and if the number of ballot papers returned in the poll is equal to or less than the number of ballot papers distributed, the Election shall be declared valid, but if the number returned in the poll exceeds that of the ballot papers distributed, the vote shall be declared null and void and another poll shall be taken immediately.

**11. Counting of Votes**

(i) The Electoral Officer shall take up the counting of votes, post-wise and category-wise, as soon as may be, after the polling process is complete.

(ii) Every contesting candidate can nominate one authorised representative who shall be entitled to be present at the place of counting of votes, and other than such authorised representative, only the Electoral Officer and members of the National Sports Body's executive or administrative team, as specifically approved by the Electoral Officer, may take part in the count.

(iii) Every ballot paper on which a vote has been recorded shall be treated as one vote for the candidate for whom it has been validly marked.

(iv) The following ballot papers shall be considered invalid and shall be rejected by the Electoral Officer, namely:-

(a) those that do not bear the official distinctive marks defined by the Electoral Officer;
(b) those that bear any words other than the names of the candidates;
(c) those that are illegible or have been defaced;
(d) those that bear identifying marks; and
(e) those that include votes for more candidates than permitted in a particular poll.

(v) The Electoral Officer shall write on the back of any invalid ballot paper, in red, the reasons for its invalidity and confirm with a signature.

(vi) The votes validly cast for each of the contesting candidates shall be counted post-wise, and category-wise where applicable, and recorded in the descending order of the votes so cast for each candidate in accordance with **Form 8** appended to these Election Rules.

(vii) The Electoral Officer shall thereafter ascertain the result of counting and the candidates who have secured the maximum number of votes in the said descending order, post-wise and category wise, where applicable, equal to the number of seats to be filled for each Elected Post or category of Elected Posts, where applicable, shall be deemed to have been duly elected to those Elected Posts.

(viii) After completing and verifying the count, the Electoral Officer shall put the ballot papers that have been collected and counted into envelopes intended for this purpose and seal them immediately, and the National Sports Body shall keep these envelopes and shall retain them atleast until the declaration of results of the immediately subsequent Election of the Executive Committee, or till the pendency of any legal proceedings relating to such Elections, whichever is later.

**12. Declaration of Results**

(i) Once the count has been completed and verified, the names of contesting candidates who shall be deemed to have been elected at the Elections shall be declared by the Electoral Officer at the general meeting.

(ii) The results of the election shall be declared in accordance with **Form 9** appended to these Election Rules, and published on the National Sports Body's official website within twenty-four hours of completion thereof.

(iii) If, after the counting of the votes, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of those candidates to be declared elected, the Electoral Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

**13. Sanctions and Complaints**

(i) All administrative matters relating to any election not covered by the Act, these rules or the National Sports Body's bye-laws shall be ruled upon by the Electoral Officer.

(ii) In the event of a breach of these Election Rules, the Electoral Officer may refer the same to the National Sports Body's Ethics Committee, who may make to the candidate in question:
   (a) observations, which may be made public; or
   (b) issue a warning, which will be automatically made public on the National Sports Body's official website.

(iii) If a candidate or a voting member has any specific complaint or problem regarding the conduct of elections he may bring the same to the notice of the Electoral Officer.

(iv) Any decision by the Electoral Officer under these rules shall be final and binding, and any petition to the National Sports Tribunal relating to conduct or outcome of election shall be limited to only any violation of the provisions relating to the process of conduct of election under this Schedule:

*Provided that* no such petition may be filed after a period of thirty days from the declaration of results of any election.

**Form 1 – Electoral Roll**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Affiliate Units | | | |
|---|---|---|---|
| Sl. No | Affiliate Unit Name | Election Representative Name | |
| | | | |
| | | | |
| | | | |
| | | | |
| Sportspersons of Outstanding Merit | | | |
| | Name | | |
| | Name | | |
| | Name | | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

**Form 2 – Nomination Form**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

**NOMINATION FORM FOR**

**ELECTION AS _____**(NAME OF THE ELECTED POST)

To

**The Electoral Officer, [*Insert Name of National Sports Body*]**
[*Insert Address*]

We nominate Shri/Smt./Ms._____ _____ (name and address) for the above-mentioned Elected Post.

Our particulars are given below:-

| | Name | Name of Affiliate Unit Represented (if applicable) | Sl. No in the Electoral Roll List | Signature |
|---|---|---|---|---|
| **Proposer** | | | | |
| **Seconder** | | | | |

I, the candidate below named, do hereby give my assent to my nomination for the above Elected Post. Further, I certify and confirm that-

(a) I am eligible to contest for the above-mentioned Elected Post as per the bye-laws of [*Insert Name of National Sports Body*]; and

(b) I am not currently undergoing, and am not required to undergo any cooling off period in relation to the above mentioned Elected Post or barred from contesting for such Elected Post, as per the bye-laws of [*Insert Name of National Sports Body*], the National Sports Governance Act, 2025 or the National Sports Governance (National Sports Bodies) Rules, 2025 or under applicable law.

(c) The information provided in the declaration appended to this form is true and correct to the best of my knowledge.

Name of the Candidate _____

Name of Affiliate Unit Represented (if applicable) _____ Sl.

No. in the Electoral Roll list (if applicable)_____

Signature _____

Date:

Place:

**Form 3 – List of Nominations Received**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Sl. No. | Name, and Address of Candidate | Elected Post | Name and Sl. No. in Electoral Roll List of Proposer | Name and Sl. No. in Electoral Roll List of Seconder |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

**Form 4 – List of Validly Nominated Candidates**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Sl. No. | Name, and Address of Candidate | Elected Post | Name and Sl. No. in Electoral Roll List of Proposer | Name and Sl. No. in Electoral Roll List of Seconder |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

**Form 5 – Notice of Withdrawal**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

**NOTICE OF WITHDRAWAL OF CANDIDATURE FOR ELECTION AS** (NAME OF THE ELECTED POST)

To

**The Electoral Officer, [*Insert Name of National Sports Body*]**
*[Insert Address]*

I, the validly nominated candidate, do hereby give my notice of withdrawal of candidature for the above Elected Post.

Name of the Candidate _____

Name of Affiliate Unit Represented (if applicable) _____ Sl.

No. in the Electoral Roll list (if applicable) _____

Signature _____

Place:

Date:

**Form 6 – List of Contesting Candidates**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Sl. No. | Elected Post | Name of Candidate | Name of Affiliate Unit Represented (if applicable) | Sl. No. in Electoral Roll List (if applicable) |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

**Form 7 – Ballot Paper**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Elected Post | Name(s) of Candidate | Mark vote here by placing tick mark (□) |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

(1) Place a tick mark (□) against the name of only one (1) contesting Candidate for the respective Elected Post.

(2) DO NOT place any other mark like (x) or work against the name of any Candidate as that shall render your ballot paper liable for rejection.

(3) Place a tick mark on the ballot paper with the article specially provided by the Electoral Officer for the purpose. Any ballot paper marker with any other pen, ball point pen, etc shall render your ballot paper liable for rejection.

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

**Form 8 – Result of Counting of Votes**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

| Name of Post | Total Votes Polled | Total Votes Rejected | Name of Candidate | Valid Votes Polled |
|---|---|---|---|---|
| President (1) | | | 1. | |
| | | | 2. | |
| | | | 3. | |
| Honorary Secretary (1) | | | 1. | |
| | | | 2. | |
| | | | 3. | |
| Honorary Treasurer (1) | | | 1. | |
| | | | 2. | |
| | | | 3. | |
| Male Sportsperson(s) of Outstanding Merit (Insert Number) | | | 1. | |
| | | | 2. | |
| | | | 3. | |
| Female Sportsperson (s) of Outstanding Merit (Insert Number) | | | 1. | |
| | | | 2. | |
| | | | 3. | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

Name:

Observer (if present)

**Form 9 – Declaration of Results**

**[*Insert Name of National Sports Body*]**

**[*Insert Name of National Sports Body*] Elections on [*Insert Date*]**

I, the Electoral Officer for the above elections, hereby declare the following candidates as duly elected to the Elected Post(s) mentioned against their name.

| Elected Post | Name of Candidate |
|---|---|
| President (1) | |
| | |
| | |
| Honorary Secretary (1) | |
| | |
| | |
| Honorary Treasurer (1) | |
| | |
| | |
| Male Sportsperson(s) of Outstanding Merit (Insert Number) | |
| | |
| | |
| Female Sportsperson (s) of Outstanding Merit (Insert Number) | |
| | |
| | |

Name:

Electoral Officer, [*Insert Name of National Sports Body*]

Date:

Place:

Name:
Observer (if present)

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[F. No. 12-12/2025-Governance-1]

KUNAL, Jt Secy.

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GORAKHA NATH YADAVA
Digitally signed by GORAKHA NATH YADAVA
Date: 2026.01.12 16:25:05 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಅಫೀಫಾ ಉಸ್ಮಾನಿ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-09**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 03 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026.

ದಿನಾಂಕ: 02.01.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3, Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Recycling of Ships Regulations, 2026ನ GSR 19(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF PORTS, SHIPPING AND WATERWAYS

## (NATIONAL AUTHORITY)

### NOTIFICATION

New Delhi, the 2nd January, 2026

**G.S.R. 19(E).—** In exercise of the powers conferred by section 43 of the Recycling of Ships Act, 2019 (49 of 2019), with the previous approval of the Central Government, the National Authority hereby makes the following regulations, namely: —

**1. Short title and commencement.–** (1) These regulations may be called the Recycling of Ships Regulations, 2026.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Application. —** Unless otherwise expressly provided, the provisions of these regulations shall apply to—

(a) all ship recycling facilities operating in India or within any area falling under the exclusive territorial jurisdiction of India;
(b) any existing ship which is registered in India wherever it maybe;
(c) any new ship which is required to be registered in India, wherever it may be;
(d) ships, other than those referred to in clauses (ii) and (iii), that enter a port, shipyard or off-shore terminal or a place in India or within the Exclusive Economic Zone or territorial waters of India or any marine areas adjacent thereto over which India has, or may have, exclusive jurisdiction with respect to control of pollution under the provisions of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 (80 of 1976), or any other law for the time being in force;

any warship, naval auxiliary or other ship owned or operated by an Administration and used on Government non-commercial service, and which is destined for recycling in a ship recycling facility operating in or within the territorial jurisdiction of India.

**3. Definitions**. — (1) In these regulations, unless the context otherwise requires, —
(a) "Act" means the Recycling of Ships Act, 2019 (49 of2019);
(b) "Atomic Energy Regulatory Board" means the Atomic Energy Regulatory Board constituted by the Government of India in the Department of Atomic Energy *vide* notification number S.O. 4772, dated the 15th day of November, 1983;

(c) "Central Pollution Control Board" means the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(d) "certificate of authorization" means the certificate of authorization issued in accordance with sub-section (6) of section 12 of the Act;

(e) "competent person" means the competent person as defined under the Factories Act, 1948 (63 of 1948);

(f) "Convention" means the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, signed at Hong Kong on the 15th day of May, 2009;

(g) "Directorate of Industrial Safety and Health" means the Directorate of Industrial Safety and Health looks after the enforcement of laws governing under the provisions of the Factories Act,1948 (63 of 1948);

(h) "form" means the forms appended to these regulations;

(i) "gross tonnage" means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex 1 to the International Convention on Tonnage Measurement of Ships, 1969 or any successor Convention as ratified or acceded to or adopted by the Government of India;

(j) "IMO MEPC Guidelines" means the guidelines adopted by a resolution of the Marine Environment Protection Committee of the International Maritime Organization/IMO;

(k) "International Maritime Organization" means an Organization of the United Nations with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution by ships;

(l) "Inventory of Hazardous Materials" means the inventory of hazardous materials developed by the guidelines, provided by the Marine Environment Protection Committee of the International Maritime Organization;

(m) "lifting appliance" means all stationary or mobile cargo handling appliances including their permanent attachments, such as cranes, derricks shore-based power operated ramps used on shore or on-board ship for suspending, raising or lowering, cargo or moving them from one position to another while suspended or supported, in connection with the recycling work and includes lifting;

(n) "Light Ship Displacement Tonnage (LDT)" means the measure of actual weight of the ship with no fuel, passengers, cargo, water on board;

(o) "loose gear" means hook, shackle, swivel, chain, wire rope, sling, lifting beam, container spreader, tray and any other such gear, by means of which the load can be attached to a lifting appliance and includes lifting device;

(p) "National Institute of Occupational Health" means the Institute under the aegis of the Indian Council of Medical Research/ICMR under the Department of Health Research, Ministry of Health and Family Welfare;

(q) "non-Convention ship" means a ship described under paragraphs 2 and 3 of Article 3 of the Convention;

(r) "non-party" means a country which is not a party to the Convention;

(s) "Port Authority" means a person appointed and authorized by the State Maritime Board or any officer appointed and authorized by the Board of a Major Port Authority under the Major Port Authorities Act, 2021 (1 of 2021) to act as Port Authority;

(t) "Radiological Safety Officer" means any person who is so designated by the State Maritime Board or the State Government and approved by the Atomic Energy Regulatory Board as per the Atomic Energy (Radiation Protection) Rules,2004;

(u) "recognized authority" means such person or organization specified by the National Authority or Competent Authority in accordance with sub- section (2) of section 40 of the Act;

(v) "rules" means the Recycling of Ships Rules, 2021;

(w) "Safe-for-entry" means a space that meets the following criteria, namely: ——

(i) the oxygen content of the atmosphere is within the range of 20.6% to 22% by volume and the concentration of flammable vapours is not more than 1% of their lower flammable limit (LFL), measured using a suitably sensitive combustible gas indicator; and

(ii) the concentration of any toxic vapours and gases is not more than 50% of their occupational exposure limit (OEL); and

(iii) any residues or materials associated with the work authorized by the competent person will not produce uncontrolled release of toxic materials or an unsafe concentration of flammable vapours under existing atmospheric conditions;

(x) "Safe-for-hot work" means a space that meets the following criteria, namely: ——

(i) a safe, non-explosive condition, including gas-free status, exists for the use of electric arc or gas welding equipment, cutting or burning equipment or other forms of naked flame, as well as heating, grinding, or spark generating operations;

(ii) requirements of Safe-for-entry;

(iii) existing atmospheric conditions will not change as a result of the hot work; and

(iv) all adjacent spaces have been cleaned, or inserted, or treated sufficiently to prevent the start or spread of fire;

(y) "Safety Officer" means the Officer appointed under section 40B of the Factories Act 1948(63 of 1948);

(z) "safe working load " in relation to an article of loose gear or lifting appliance means the load which is the maximum load that may be imposed with safety in the normal working conditions and as assessed and certified by the competent person;

(aa) schedule" means the schedules appended to these regulations;

(bb) "site inspection" means an inspection of the ship recycling facility confirming the condition described by the verified documentation;

(cc) "State Maritime Board" means the State Maritime Board constituted by the State Government under the Indian Ports Act, 2025 (27 of 2025);

(dd) "special concern ships" means a war ship, nuclear powered ships and naval vessels, large passenger ships of more than 20,000 LDT, tankers and other classes of ships as specified in Third Schedule;

(ee) "State Pollution Control Board" means the Board constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(ff) "supervisor" means safety supervisor appointed to supervise safety provisions in hazardous processes as per clause (b) of section 41C of the Factories Act, 1948(63 of 1948);

(2) The words and expressions used in these regulations and defined in the Act and rules shall have the same meaning as assigned to them in the Act and the rules.

**4. Requirements for ship recycling facilities. —** (1) The ship recycling facility shall be designed, constructed, and operated in a safe and environmentally sound manner in accordance with the provisions of these regulations as specified in the First Schedule.

(2) The ship recycling facility shall have certificate of authorization issued in Form 3 which has been obtained in accordance with rule 11 of the Recycling of Ships Rules, 2021 as the Certificate of Authorization or the Document of Authorization for Ship Recycling/DASR.

(3) The ship recycling facility shall have established management systems, procedures and techniques that do not pose health risks to the workers or to the population in the vicinity of the ship recycling facility and which shall prevent, reduce, minimize and to the extent practicable eliminate adverse effects on the environment caused by recycling.

**5. Ship recycling facility management plan. —** (1) Every ship recycling facility to which these regulations apply shall prepare a ship recycling facility management plan for the approval of Competent Authority in accordance with the applicable IMO MEPC Guidelines containing the following, namely: —

(a) a policy ensuring safety of the workers and the protection of human health and the environment, including the establishment of objectives that lead to the minimization and elimination to the extent practicable of the adverse effects on human health and the environment caused by ship recycling in compliance with the specific requirements laid down under the First Schedule;

(b) a system for ensuring implementation of the requirements set out in the Act, the achievement of the goals set out in the policy of the recycling facility company, and the continuous improvement of the procedures and standards used in the ship recycling operations;

(c) identification of roles and responsibilities for employers and workers when conducting ship recycling operations;

(d) a programme for providing appropriate information and training of workers for the safe and environmentally sound operation of the ship recycling facility;

(e) emergency preparedness and response plan;

(f) a system for monitoring the performance of ship recycling;

(g) a record-keeping system showing how the ship recycling is carried out;

(h) a system for reporting discharges, emissions, incidents and accidents causing damage, or with the potential of causing damage, to workers' safety, human health and the environment; and

(i) a system for reporting occupational diseases, accidents, injuries and other adverse effects on safety of workers and human health; and

(j) compliance of all the applicable instructions provided in the First Schedule and applicable national and international laws for the matters concerned with safety, health, training, insurance and welfare of workers including provisions of the Factories Act,1948 (63 of 1948) and applicable guidelines developed by the International Labour Organization/ILO as specified by the National Authority from time to time.

(2) Every ship recycling facility intending to obtain authorization from Competent Authority shall submit such ship recycling facility management plan to the competent authority along with applicable fees specified by Competent Authority.

(3) The competent authority or organization recognized by it shall issue a written acknowledgement upon receiving such plan.

(4) The assessment and verification shall be concluded within a reasonable time frame not exceeding thirty days unless any suggested changes are pending with the applicant.

**6. Equipment and other standards to be maintained by the ship recycler. —** (1) The ship recycling facility shall establish and also comply with the following standards to prevent adverse effects to human health and the environment, namely: ——

(a) prevent explosions, fires, and other unsafe conditions by ensuring that Safe- for- hot work conditions and procedures are established, maintained and monitored throughout ship recycling;

(b) prevent harm from dangerous atmospheres and other unsafe conditions by ensuring that Safe-for-entry conditions and procedures are established, maintained, and monitored in ship spaces, including confined spaces and enclosed spaces, throughout Ship Recycling;

(c) prevent other accidents, occupational diseases and injuries or other adverse effects on human health and the environment; and

(d) prevent spills or emissions throughout ship recycling which may cause harm to human health and/or the environment; and

(e) take into account all the applicable existing laws and regulations along with instructions provided in the First Schedule and applicable IMO MEPC Guidelines.

(2) In addition to the standards and equipment specified in the First Schedule for safety of workers, training and health protection, the ship recycling facility shall—

(i) ensure that training programmes are provided to enable workers to safely undertake all ship recycling operations they are tasked to do including appropriate training and familiarization to all workers at the ship recycling facility prior to performing any ship recycling operation;

(ii) develop training programs for the workers taking into consideration relevant and

applicable guidelines of the Convention and other applicable national and international standards.

(3) The training programmes referred to under sub-regulation (2) shall—

(i) cover all workers including contract personnel and workers in the ship recycling facility;

(ii) be conducted by competent persons;

(iii) provide for initial and refresher training at intervals not more than three years;

(iv) include evaluation of participants of their comprehension and retention of the training;

(v) be reviewed annually and modified as necessary; and

(vi) be documented.

(4) The ship recycling facility shall make immediate arrangements towards medical aid and treatment of the injured worker(s) in case of occurrence of an accident during the ship recycling activity or incidental thereto and also compensate such workers in compliance with the Second Schedule.

(5) The ship recycling facility shall ensure that the medical examination of worker(s) is carried out as per the guidelines of the National Institute of Occupational Health in Multi-Specialty Hospital at least once in two years:

Provided that such medical examination shall be carried out at least once in a year if the age of the worker is equal or more than forty- five years.

**7. Certificate of authorization.** —— (1) The Competent Authority shall grant the certificate of authorization to the ship recycling facility, under sub- section (6) of section 12 of the Act, in Form 3.

(2) The certificate of authorization referred to under sub-regulation (1) shall be valid for a period of five years.

**8. Manner of enquiry and inspection by Competent Authority. —** (1) The Competent Authority or the recognized authority shall undertake the site inspection and audit of ship recycling facility.

(2) The site inspection referred to under sub-regulation (1), may involve, or use the guidance and reports of local or national labour inspection services.

(3) The ship recycling facility shall be informed at least seven days in advance before such site inspection for the first time.

(4) On the basis of the report of inspection and audit of the ship recycling facility referred to under sub-regulation (1), the Competent Authority or recognized authority shall communicate the results of such inspection and audit to the ship recycling facility within seven days from the date of such inspection or audit.

(5) Where the ship recycling facility fails to demonstrate compliance with the provisions of the Act and rules made thereunder and implementation of its ship recycling facility management plan within three follow up audits, certificate of authorization shall not be issued to such ship recycling facility, and reasons for such non-issuance shall be communicated to the ship recycling facility.

(6) A fresh application for certificate of authorization shall be made only upon addressing the reasons for non-issuance of certificate of authorization communicated on the previous application.

**9. Application to the National Authority for a ready for recycling certificate and issuance of ready for recycling certificate. —** (1) The owner of a ship who intends to recycle his ship shall make an application accompanied with such fees as specified in the Sixth Schedule to the National Authority for a ready for recycling certificate containing the following particulars, namely: —

(a) name of the ship recycling facility;

(b) distinctive recycling company identity number as listed in the Certificate of Authorization or Document of Authorization for Ship Recycling/DASR;

(c) full address of ship recycling facility; and

(d) date of expiry of Certificate of authorization:

Provided that in cases where more than one ship recycling facility is involved, the information of each ship recycling facility shall be provided prior to the final survey.

(2) Upon receiving the application under sub-regulation (1), and after the completion of the final survey, the National Authority shall issue a ready for recycling certificate in Form 1 for international ready for recycling certificate or under Form 2 for I Indian ready for recycling certificate.

**10. Written permission of the Competent Authority. ——** (1) The Ship Recycler intending to bring a ship from anchorage to the ship recycling facility for the purpose of recycling shall make an application in Form 5 to the Competent Authority.

(2) The application referred in sub-regulation (1) shall be supplemented with a copy of applicable ready for recycling certificate of the ship, the certificate of authorization of the ship recycling facility and the initial information provided to the Port Authority in Form 4.

(3) The Competent Authority shall provide written acknowledgement upon receipt of request for entry permission and arrange for physical inspection, if necessary, within one day of receipt of such request.

(4) The Competent Authority shall issue recycling permission within two days from the date of obtaining clearances from all concerned authorities and upon satisfactory review of submitted documentation and physical inspection.

(5) The recycling permission may stipulate additional conditions about gas freeing and removal of hazardous substances prior to cutting operation or beaching operation.

(6) Upon obtaining permission from the Competent Authority to recycle, the State Maritime Board or the Port Authority, as the case may be, may process issuance of entry permission or beaching permission as per Fifth Schedule while ensuring all other clearances from necessary agencies are duly obtained and in order.

(7) The Ship Recycler or ship owner may apply for entry or beaching permission as per Form 7 to the State Maritime Board or the Port Authority, as the case may be.

(8) Any ship registered in India intended to be recycled outside the territory of India shall be recycled only at such recycling facilities that are duly authorized by the relevant authority at such

place as a recycling facility compliant with the applicable provisions of the Convention.

**11. Submission of documents by ship owner**. —(1) The ship owner or the authorized person of the ship owner shall submit all documents and details as required by the Customs authorities under the Customs Act, 1962 (52 of 1962), at least three days prior to the expected arrival of the ship at anchorage, to enable the Customs authorities to complete all customs formalities under the Customs Act, 1962 (52 of 1962).

(2) In addition to the fulfillment of requirements under sub-regulation (1), the ship owner shall also submit the documents and information as specified under the Fifth Schedule before the arrival of ship in India.

(3) Upon the arrival of the ship in India, the ship owner shall also submit the documents to the Port Authority, the State Pollution Control Board and the Customs Department, for a desk review thereof, including documents required for the genuineness of the documents and details of ship as specified under the Fifth Schedule.

(4) The documents submitted by the ship owner shall be duly verified by the Port Authority and all the other relevant authorities in the manner specified under the Fifth Schedule for the purpose of permitting the ship to anchor at the port.

**12. Conditions for safe-for-entry or safe-for-hot work. —** (1) The owner of different types of ships intended to be recycled within India shall fulfill the following conditions for safe-for-entry or safe-for-hot work, as the case may be, namely: –

(a) In case of Oil tankers and Chemical tankers, safe for entry and safe for hot work permits are to be obtained for every compartment before actual entry and cutting operations are initiated by ship recyclers.

(b) The compartment-wise permits as specified under clause (a), shall be required to be obtained in addition to the permission for recycling issued by the competent authority.

(c) For petroleum oil cargo tankers and petroleum slop tanks, the Petroleum and Explosives Safety Organization/PESO or an authority approved by it shall issue gas free and fit for hot work certificate.

(2) For the purpose of issuing the safe-for-entry and safe-for-hot work permits, inspection shall be carried out by the Safety officer of the Directorate of Industrial Safety and Health/DISH or authorized person of the Directorate of Industrial Safety and Health to ensure the conditions specified under the Fifth Schedule.

(3) In the case of ship recycling process of non - tanker ships, petroleum tankers and slop tankers, the Ship Recyclers shall fulfill the following conditions for safe-for-hot work, namely: –

(a) Provide portable water hoses with a dedicated water pump with adequate take-off points for attaching additional hoses, for working on the recycling vessel, for immediate water supply in the event of fire, and for wetting the asbestos etc., before its removal from the vessel.

(b) No naked light or flame or hot work shall be permitted inside a confined space or area, unless it has been made completely free of the flammable material, tested and

found safe by a competent person.

(c) Obtain Naked Light Certificate (Hot Work Permit) as per the rule 68-H of the model rules made under the Factories Act, 1948 (63 of 1948), issued by the relevant authority.

(d) Keep the area assigned for hot work free from any explosive mixture such that the explosive meter reading is below explosive limit.

(e) Use only non-sparking tools and flameproof hand lamps protected with guard and safety torches inside such confined space or area for initial inspection, cleaning or other work required to be done for making the area safe.

(f) Undertake welding, flame cutting and other hot work only on the orders of a competent person after appropriate precautions, as required, are taken to reduce the risk of fire and explosion.

(4) The explosive meter reading of the recycling facility shall be recorded in the work permit by the relevant issuing authority.

(5) Any safe-for-entry or safe-for-hot work certificate or permit shall only be issued by the relevant authorities only after conducting the necessary inspections and satisfying themselves of due compliance of the same, as specified under the Fifth Schedule.

**13. Statement of acceptance by the ship recycler.** —— (1) On receipt of a copy of permission to recycle the ship, the ship recycler shall issue the Statement of Acceptance to the ship owner in Form 8.

(2) The ship owner shall forward a copy the Statement of Acceptance to the registrar within three days from the date of its receipt, for the purpose of getting the ship de-registered.

**14. Requirements relating to removal and management of hazardous materials and basic infrastructure.** —— (1) For the purpose of management and removal of hazardous materials, the ship recycler shall ensure strict compliance with the requirements under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Air (Prevention and Control of Pollution) Act, 1981(14 of 1981), the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and all other applicable and relevant notification regarding Environmental Impact Assessment and Coastal Regulation Zone as also specified under the First Schedule.

(2) The ship recycler that comply with provisions for environmentally sound handling and disposal of the waste as laid down under First Schedule shall also become members of Treatment Storage and Disposal Facility/TSDF authorized by State Pollution Control Board to dispose their wastes into it.

(3) The ship recycling facility shall provide for and ensure safe and environmentally sound management of all hazardous materials and wastes removed from the ship being recycled at the ship recycling facility.

(4) Authorized waste management and disposal facilities shall be identified and used for the further safe and environmentally sound management of hazardous materials.

(5) All hazardous materials and hazardous wastes generated from the recycling activity shall be kept separate from recyclable materials and equipment, labelled, stored in appropriate

conditions in a manner that does not pose a risk to the workers, human health or the environment in compliance with the First Schedule.

(6) Hazardous materials and hazardous wastes shall only be transferred through licensed vehicles authorized to transport waste to a waste management facility duly authorized to deal with their treatment and shall be disposed in a safe and environmentally sound manner as per the requirements stipulated in First Schedule and applicable IMO MEPC Guidelines as specified by National Authority from time to time.

**15. Service of notice by the Competent Authority to a ship recycler in case of oil spill.** —— (1) In case of an oil spill, the notice issued by the Competent Authority under sub-section (2) of section 22 of the Act, shall require the Ship Recycler on whom such notice is served to take action for all or any of the following matters, namely: ——

(a) action for preventing the escape or removal of oil or any other substance into the inter-tidal zone or sea from a ship recycling facility from a ship intended or undergoing recycling within the ship recycling facility;

(b) action to remove or disperse the slicks on the surface of the sea in such manner, as may be specified in the notice.

2. Any ship recycler who fails to comply with the action required in the notice referred in sub-regulation (1), shall be liable for prosecution under section 32 of the Act.

**16. Submission of statement of completion by the ship recycler. —** (1) When the recycling of a ship is done in accordance with the requirements of the Act and the Convention, a Statement of Completion shall be submitted by the Ship Recycler to the Competent Authority in Form 9.

(2) The Statement of Completion referred to under sub-regulation (1) shall be submitted within fourteen days from the date of partial or complete recycling of the ship in accordance with the Ship Recycling Plan and shall include a report on incidents and accidents damaging human health and/or the environment, if any.

*Explanation:* For the purpose of sub- regulation (2) —

(a) partial recycling of ship means a ship which has incomplete sections or part of the ship pending for recycling and such section or part will be taken over by another authorized ship recycler for complete recycling;

(b) complete recycling of a ship means that the ship recycling facility has no part of the ship left in intertidal zone and all the hazardous materials from the ship have been handed over to the certified waste receiver.

(3) The report on incidents and accidents referred to under sub-regulation (2) shall be prepared in accordance with the details specified under the Fourth Schedule.

(4) The Competent Authority shall send a copy of the statement of completion to the National Authority or the authority which has issued the ready for recycling certificate for the ship.

**17. Requirements for ships of special concern. –** (1) The ships of special concern as specified in the Third Schedule requiring handling of large quantities of hazardous materials and

wastes are to be specifically reviewed taking into consideration of adequacy of supporting infrastructure, special training needs and competency and capability of disposal and waste handling facilities.

(2) Any permission for recycling, with regard to ships referred to under sub- regulation (1) above, shall not be granted till the time a No Objection Certificate/NOC has been obtained from the Atomic Energy Regulatory Board, wherever required, for matters related to nuclear materials on such ships.

(3) Any permission for recycling, with regard to ships referred to under sub- regulation (1), which are above 500 GT, shall also require a prior No Objection Certificate/NOC to be obtained from the relevant State Pollution Control Board.

(4) The permission for recycling, with regard to ships referred to under sub- regulation (1), which are petroleum tankers, shall also require a prior Gas-free certificate and Safe for Hot Work certificate to be obtained from Petroleum and Explosives Safety Organization/PESO.

**18. Permission to Anchor. —** (1) A ship recycler or ship owner shall apply for grant of permission to anchor to the relevant Port Authority in Form 7 and shall also fulfill the related requirements specified under the Fifth Schedule.

(2) Before applying for grant of permission to anchor under sub-regulation (1) above, the ship recycler shall also submit the information regarding radioactive material contained in a ship, as may be applicable, in Form 6.

(3) On receipt of application referred in sub-regulation (1), the Port Authority shall review such application in compliance with the process specified under the Fifth Schedule only upon verification of following documents, namely: —

(a) A copy of communication of information to the Customs department and competent authority;
(b) A copy of approval from the Ministry of Defence for warships, naval ships and nuclear-powered ships;
(c) A copy of valid insurance for intended time i.e., till it delivers the ship-to-ship recycling facility. Such insurance shall cover third party liability, oil pollution damage and wreck removal.
(d) A copy of memorandum of agreement with ship recycler.
(e) Declaration from the master that the ship is free of cargo, cleared all the existing port dues and performed ballast exchange in high seas.
(f) A copy of valid ready for recycling certificate (if obtained).

(5) Such review for grant of permission to anchor a ship may include review of other permissions, intimations and no objection certificates required from different authorities without causing any undue delay in the decision to accept or reject the anchoring permission.

(6) The acceptance or refusal of permission shall be communicated to the ship owner or ship

recycler, as the case may be, within three days of receipt of the application along with requisite documents.

**19. Recycling operations of a ship, its monitoring and related compliances. —** (1) The Ship Recycler shall be responsible for safe and environmentally sound recycling of ship taking into consideration of the procedures listed in the Ship Recycling Facility Management Plan and the Ship Recycling Plan.

(2) The dismantling of a structure of the ship shall be commenced only after the receipt of cutting permissions from the Port Authority.

(3) The Ship Recycler shall comply with the requirements specified in the Fifth Schedule, prior to obtaining cutting permission and while undertaking recycling operations.

(4) The Ship Recycler shall monitor safety of workers and handling of hazardous material during the dismantling activity in compliance with the First Schedule.

**20. Reporting requirements of Ship Recycler**. — The Ship Recycler shall report the following to the Competent Authority, namely: —

(a) Incidents, accidents, occupational disease and chronic effects.

(b) Completion of ship recycling with a copy of Statement of Completion supplemented with details of any incidents, accidents occurred during the process.

(c) Annual list of ships recycled by 31$^{st}$ January of every year.

(d) Cases of tacit acceptance granted by the Competent Authority.

(e) Cases of statement of acceptance issued to Indian ships.

**21. Manner of enquiry into incidents by Competent Authority. —** (1) The Ship Recycler shall within twenty-four hours report in writing to the Competent Authority about any accident or incident of fire, explosion or pollution, which occurs while undertaking ship recycling or a related activity.

(2) In the event of death of a worker, the Ship Recycler shall also inform to the relevant Police Authority having jurisdiction and the nearest relative of such deceased worker.

(3) Upon receipt of any complaint or report of serious bodily or fatality, the Competent Authority shall carry out investigation and may take appropriate decision to temporarily suspend any activity, which it may deem necessary, to ensure the safety of workers or to mitigate the potential harmful impact of such an occurrence to the environment.

(4) The Competent Authority shall conduct the enquiry into the incident.

(5) In the event of any accident/fire/explosion/radiological incident on any ship recycling facility or on any ship leading to a death or serious bodily injury to any person or any accident on any ship recycling facility or on the ship resulting from the non-compliance of any of the provisions contained in these regulations, the following actions shall be taken, namely: —

(a) In the event of major fire/explosion/accident/radiological incident causing damages

with or without death or serious bodily injury or disability to any person, all activities related to ship recycling at such facility shall be suspended forthwith with immediate effect for a maximum period of five days.

(b) During such period of suspension, the Competent Authority shall carry out a detailed enquiry through a team comprising of Surveyors and may co-opt professionals / experts from such other agencies as it may deem fit.

(c) An investigation team to be notified by the Competent Authority, shall thoroughly inspect the ship recycling facility and look into the cause of the incident.

(d) Based on the such enquiry and cause of the incident, the Competent Authority shall direct the relevant Ship Recycler to—

(i) undertake measures necessary to avoid such incidents; and

(ii) to restore safe working environment prior to resumption of its operations within five days from the date of the receipt of directions from the Competent Authority:

Provided that if the Ship Recycler fails to comply with the directions of the Competent Authority within five days, the duration of suspension of operations at the ship recycling facility shall be extended till the Competent Authority satisfies itself regarding the necessary compliance by the Ship Recycler.

(6) Notwithstanding the provisions specified under these regulations, all other requirements of the State or Central authorities with regard to such accidents or incidents shall also need to be complied with by the Ship Recycler.

[F.No. SY-19014/70/2024-SBR-Part(3)(CN-374906)]

SHYAM JAGANNATHAN, Director General of Shipping

## FIRST SCHEDULE
**(*See* regulations 4, 5, 6, 14 and 19)**

## COMPLIANCES FOR SAFETY AND HEALTH OF WORKERS AND ENVIRONMENTAL COMPLIANCES FOR STAKEHOLDERS INVOLVED IN SHIP RECYCLING

### 1. Recycling facility authorization by various agencies

(1) The Ship Recycler shall obtain authorization as per the Recycling of Ships Act 2019 (49 of 2019) and shall recycle only those ships which is having ready for recycling certificate as per the provisions of Hong Kong Convention,2009.

(2) The Ship Recycler shall carry out audit and possess certification towards ISO 9001-Quality Management System/QMS, ISO 14001-Environmental Management System/EMS ISO 30000-Ship Recycling Management System/SRMS, ISO 45001-Occupational Health and Safety Management System/OHSMS.

(3) The Ship Recycler shall also ensure that the Director of Industrial Safety and Health/DISH or equivalent Department of the State Government under the Factories Act, 1948 (63 of 1948) carries out regular inspections of the plot and monitor the whole safety management aspects under the Factories Act, 1948 (63 of 1948). If there is any lapse(s) in compliance, the Director of Industrial Safety and Health shall issue Show Cause Notice/warning/order as per provisions of the Factories Act, 1948 (63 of 1948), suspend the licence and initiate legal action for non - compliance of the provisions of the Act. A copy of the notice/warning/order so served shall also be marked to the National Authority, concerned Competent Authority and the Port Authority. Nevertheless, any such received notices shall be intimated immediately by the Ship Recycler to the National Authority and Competent Authority.

(4) The Ship Recycler shall become a member of Treatment Storage and Disposal Facility/TSDF authorized by the State Pollution Control Board/SPCB to dispose their wastes into it.

(5) Temporary storage facility for storing hazardous waste (to avoid contamination of Soil, Air and Sea) shall be constructed as per the guidelines issued by the Central Pollution Control Board. The recycling, recovery and disposal of hazardous waste shall be as per the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016 and radioactive waste as per the Atomic Energy (Safe Disposal of Radioactive Wastes) Rules, 1987, wherever applicable.

(6) Temporary storage facility (to avoid contamination of Soil, Air and Sea) with adequate safety precautions for storing of radioactive material shall be made available as per the requirements of Atomic Energy Regulatory Board/AERB in every recycling yard wherever applicable.

(7) Transportation and temporary storage facilities for storing and handling of pressurized cylinders shall be as per the requirements of the Petroleum and Explosives Safety Organization/PESO and State Pollution Control Board/SPCB norms.

(8) To comply with any other conditions stipulated by the plot leasing authorities like the State Maritime Board or Port Authority including matters pertaining to security.

(9) To remove all the hazardous substance and obtain necessary de-contamination certificate prior to recycling.

**2. Worker safety, training and health compliance approach**

(1) Safety of workers—

(i) The following general instructions to be complied while undertaking ship recycling activities in the ship recycling facility—

(a) Adequate open space shall be provided within the facility for safe passage and easy movement of firefighting units and equipment, maintenance of passageways, so as to permit unobstructed access for firefighting units and equipment.

(b) Identification and marking of all non-breathable spaces in the ship.

(c) Identification and marking of all places in the ship containing/likely to contain hazardous substances/ hazardous wastes.

(d) Systems and procedures shall be followed to document and keep track of all hazardous wastes generated during recycling of a ship, as well as hazardous substances found on board the ship, and their transport to the disposal facility or registered recycling facility in safe and sound manner.

(e) It shall be ensured that sufficient area is provided for office building, storage of non-ferrous metals and open space to store segregated finished scrap for further recycling.

(f) Sufficient area shall be provided for installation of at least 2 winches and operation of at least 2 cranes. All the lifting and pulling equipment along with its lifting gear should be inspected on annual basis and load test to be carried out 1.1 times of safe working load in a five-year cycle. Both the annual and five-year load test to be performed under the supervision of Competent person as per the Factories Act, 1948 (63 of 1948) or the Dock Workers (Safety, Health and Welfare) Act, 1986(54 of 1986).

(g) Sufficient area shall be provided for processing of cut pieces/blocks from the ships.

(h) Gas free certificate shall be obtained as per the provisions of the Factories Act, 1948 (63 of 1948) from competent person for entry into confined spaces that are likely to contain dangerous fumes &insufficient oxygen.

(i) Safe distance shall be maintained for storage of petroleum products, including LPG storage or any other combustible material as specified under the relevant national Acts/ rules.

(j) Facilities of water storage, pumping and firefighting devices such as portable fire extinguishers (as applicable), firefighting suits, oxygen mask, sand boxes /buckets, fire hose with complete attachments shall be provided as required in accordance with the provisions of the Factories

Act, 1948 (63 of 1948) and other relevant national Acts/rules.

(k) Facilities for removal and handling of asbestos need to be provided including provision for the workers involved in such activities to take shower. Appropriate mobile asbestos handling utility may be used, or services of authorized asbestos handling agency may be considered while handling asbestos.

(l) There shall be no overlapping of activities to ensure safety of workers.

(m) Ship Recyclers shall provide and ensure the use of personal protective equipment for operations requiring such use, including for:

(A) head protection;
(B) face and eye protection;
(C) hand and foot protection;
(D) respiratory protective equipment;
(E) hearing protection;
(F) protectors against radioactive contamination; (where applicable)
(G) protection from falls; and
(H) Appropriate clothing.

(ii) Every Ship Recycler shall appoint qualified Safety Officer/Safety Supervisor as per the section 40B of the Factories Act, 1948 (63 of 1948). The cutting operations shall be carried out under the supervision of competent supervisor as per the clause (b) of section 41C of the Factories Act, 1948 (63 of 1948).

(iii) The Safety Officer/Safety Supervisor/competent person shall ensure availability of material handling equipment, and availability of Personal Protective Equipment/PPE to workmen to perform stipulated activity.

(iv) The Safety Officer/Safety Supervisor / competent person, as the case may be, shall ensure that—

(a) Safety guidelines are followed for safety distance. Cutting operations are undertaken at a distance beyond safety distance of LPG storage area, as specified in the Explosives Act, 1884 (4 of 1884).

(b) Explosive and oxygen meters are readily available in working condition throughout the cutting operations and are calibrated periodically on annual basis.

(c) Parameters with respect to permissible limits of hydrocarbon vapours and oxygen are strictly complied with before commencing actual cutting operations and during recycling cutting operation:

Provided that if the level of oxygen coefficient or that of Hydrocarbon vapour reaches the permissible limit in particular space/area, cutting operations carried out in that space/area shall be immediately suspended. Thereafter steps shall be taken to ventilate such area with the help of mechanical blowers or any other effective means to restore the oxygen content to bring it within the permissible limits or

reduce content of Hydrocarbon vapours.

(d) Number of LPG and other Gas Cylinders stocked on the deck of the ship or near cutting area are as per the provisions of relevant Act/ rules.

(e) Cylinders and other articles are lowered down to the ground in safe manner instead of throwing them from the ship.

(f) All pipelines are dismantled by cold opening/cutting:
Provided that, in case of fuel dripping from the pipelines, it shall be dismantled only after collecting such dripping fuel in a container and ensuring no fuel remains in the pipeline.

(g) Area where cutting operation is carried out in last two hours of the working day shall be quenched by pouring sufficient amount of water or by any other effective means to avoid any incident of smoldering/fire.

(h) The progress of ship breaking is recorded daily in properly designed logbook and shall be retained for at least five years. The log book shall be produced before the concerned authorities as and when called for.

(v) Work timings of the workers relating to the ship breaking shall be such that it should not be carried out before sunrise and after sunset so that the cutting/ dismantling and other activities excluding loading and unloading operations are undertaken in natural light. In the east coast regions, the work timings should be such that it is not carried out before sunrise and after sunset during any season. The maximum working hours for cutting operations area as follows for the west coast region —

(a) During the months from March to October - 7 AM to 7 PM.

(b) During the months from November to February - 7 AM to 6 PM.

(vi) The maximum weekly hours, daily hours of duty, rest period, over time and its wages shall be as per the provisions of Chapter VI of the Factories Act, 1948(63 of 1948).

(vii) No worker shall be allowed to work in the ship recycling yard beyond the stipulated timings and on holidays. However, loading, unloading and housekeeping operation may be permitted up to 9.00 PM. The activity of "Beaching (Landing) and pulling of ship and part of ship of securing the ship closer to the yard maybe undertaken whenever there is high tide."

(viii) The management of occupational safety and health shall be in accordance with the provisions of the Factories Act, 1948 (63 of 1948) and other labour laws.

(ix) Only trained workers shall be employed.

(x) All workers shall be provided with Personal Protection Equipment/PPE that conform to Bureau of Indian Standards/BIS or equivalent. For all operations/works the personal protective equipment's of BIS standard or equivalent should be used.

(xi) Workers shall undergo periodical general, and job specific exposure related medical examination as stipulated by National Institute of Occupational Health/NIOH requirements or as per the provisions of the Factories Act 1948

(63 of 1948), whichever is stringent in multi-specialty hospital. A copy of such medical examination reports to be retained by the workers till its validity.

(xii) In case of observed/identified incidents, accident, occupational disease, workers should immediately bring such instances to the notice of concern representative of ship recycling facility. They may also bring such instances to the notice of Port Authority, Competent Authority and Directorate of Industrial Safety and Health/DISH if the response of ship recycling facility is not satisfactory.

(xiii) Prevention of unauthorized entry—

(a) Visitors shall not be allowed access to ship breaking facilities or ships, unless authorized and accompanied by a competent person and provided with the appropriate protective equipment.

(b) Appropriate arrangements concerning access by inhouse workers representatives shall be established in accordance with the provisions of national laws and regulations or of collective agreements.

(2) Duty of workers (or workers) to warn about imminent danger or unsafe act ——

(i) Where the workers employed in recycling activity engaged in a hazardous process have reasonable apprehension that there is a likelihood of imminent danger to their lives or health due to any accident, they may bring the same to the notice of the Safety Officer, supervisor, Competent person, agent, manager, owner or any other person who is in charge of the recycling facility or the process concerned directly or through their representatives at any time or during the Safety Committee or tool box meeting.

(ii) It shall be the duty of such Safety officer, supervisor, Competent person, agent, manager, owner or any other person who oversees the recycling facility to take immediate remedial action if he / she is satisfied about the existence of such imminent danger or unsafe act.

(iii) If the occupier, agent, manager or the person in charge referred to in above paragraph 2(i) is not satisfied about the existence of any imminent danger as apprehended by the workers, he/she shall, record such decisions for review of Competent Authority during its verification audits. Nevertheless, if the corrective actions are taken the same shall also be recorded.

(iv) The Owner / representative of ship recycling facility shall promote the right of workers as mentioned in above section in their safety policy.

(3) Prevention of adverse effects to human health—

(i) Job hazard assessment shall be conducted by a team of Competent person, representative of management and workers with appropriate level of expertise. Responsibility for job hazard assessments shall be assigned to a competent person for the specific hazards of each job.

(ii) Entries into dangerous atmospheres and confined spaces—

(a) Where workers are required to enter any area in which a toxic or harmful substance may be present, or may have been present, or in which there may be an oxygen deficiency or a flammable atmosphere, adequate measures shall be taken to guard against danger.

(b) The measures to be taken regarding dangerous atmospheres shall be specified by the competent authority in conformity with the International Maritime Organization/IMO recommendations for entry into enclosed spaces aboard ships and shall include prior permission from a competent person, or any other system by which entry into any area in which a dangerous atmosphere may be present can be affected only after completing specified procedures.

(c) While a worker is in a confined space-

(A) adequate facilities and equipment including breathing apparatus, first- aid kit, resuscitation apparatus and oxygen shall be readily available- for rescue purposes;

(B) a fully trained attendant or attendants shall be stationed at or near the opening;

(C) suitable means of communication shall be maintained between the worker and the attendant or attendants;

(D) Adequate lighting and ventilation to be provided.

(4) Signs, notices and colour codes—

(i) Signs and symbols are a very effective methods for warning against hazards and for presenting information in a non-linguistic form. Safety signs and notices shall conform in shape and colour to the requirements of the competent authority.

(ii) The contents of portable fire extinguishers shall be indicated by a colour code in compliance with the requirements of the competent authority. Each fire extinguisher shall have a label affixed to it providing instructions for its use.

(iii) Various standards exist for the colour coding of electrical wiring. Care shall always be taken to ensure that personnel are aware of the meaning of the core colours on board each ship. If a replacement is required, it shall be in accordance with the coding system.

(iv) All gas cylinders should be clearly marked with the name and symbol of the gas and the body should be colour coded as per the relevant BIS. A copy of the colour coding shall be displayed at conspicuous place in the cylinder storage yard. A separate place shall be earmarked for storage of empty cylinders.

(v) All radioactive waste material shall be labelled and stored as per the Atomic Energy (Radiation Protection) Rules, 2004 and with due instructions of RSO of Port Authority.

(5) Means of access, scaffolds, ladders and housekeeping—

(i) Means of access and egress—Adequate and safe means of access and egress shall be provided for all workplaces during all ship recycling operations, and these routes shall be maintained so that they are in a safe condition.

(ii) Means of access to vessels shall be—

(a) where practicable the ship's accommodation ladder, a gangway or a similar appliance, or

(b) in other cases, ladders, stairs; or, if necessary, rope stepladders or similar appliances.

(c) kept free from obstructions; if they pass through workplaces, they shall be protected against falling objects:

(d) as far as practicable be so installed that no loads pass over them. In any event, loads shall not be passed over the means of access while workers are using them.

(e) hatches, openings or any other 'means 'of access to holds, ships' decks or between decks shall be provided with safety barriers. If it is not practicable to provide fixed hold ladders, portable- metal ladders (or appropriate wooden ones) shall be provided. Rope ladders shall be used only as supplementary means of access to holds. All ladders shall be safely and adequately secured before being used.

(iii) Means of escape, in case of fire, or other dangers— Means of escape shall be always kept clear without any obstructions. Escape route/s shall be frequently inspected and modified on the ship continuously according to the progress of the breaking process. Where appropriate, suitable visual signs shall be provided to indicate clearly the direction of escape in case of fire.

(iv) Means of escape shall be—

(a) provided on the ship and from the ship during all breaking operations;

(b) shown on plans which shall be prominently displayed at the access to and inside the ship and landside facilities as appropriate.

(v) Roadways, quays, yards and other places—

(a) Roadways, quays, yards, etc., where persons or vehicles move or are stationed shall be so constructed and maintained as to be safe for the traffic that they have to carry.

(b) Yards and other places that are surrounded by fencing shall have separate gates for pedestrians and vehicles.

(c) Dangerous crossings where transport of heavy objects is carried out shall be protected by automatic signals or gates whenever possible, or be guarded by watchmen.

(vi) Housekeeping—

(a) A suitable housekeeping programme shall be established and continuously reviewed and implemented on each ship recycling facility and ship which shall include provisions for the proper storage of materials and equipment, and the removal, at appropriate intervals, of scrap, waste and debris.

(b) Loose materials which are not required for immediate use shall not be placed or allowed to accumulate on the site so as to dangerously obstruct means of access to and egress from work places and passageways.

(c) Workplaces and passage ways that are slippery owing to oil or other causes shall be cleaned up or strewn with sand, sawdust, ash or like materials.

(d) Tools, bolts, nuts and other objects shall not be left lying around where they could create a tripping hazard.

(e) Scrap, waste, rubbish and dirt shall not be allowed to accumulate at workplaces or in passage ways.

(f) Rubbish, dirt and refuse shall not be thrown overboard or in and around the yard but removed in a systematic and environmentally sustainable manner.

(g) The ship-recycler shall keep the work place clean and well maintained. The machinery and material/scrap etc. shall be arranged properly within the plot to provide access for rescue operation in case of any accident or fire or explosion.

(vii) Scaffolds and ladders—

(a) Where work cannot safely be done on or around the yard or part of a ship or other permanent structure, a safe and suitable scaffold, or other equally safe and suitable provision should be provided and maintained.

(b) Ship recyclers shall establish and enforce laws, regulations or standards covering detailed technical provisions for the design, construction, erection, use, maintenance, dismantling and inspection of different kinds of scaffolds and ladders used.

(c) Scaffolds shall be provided with safe means of access, such as gangways, stairways or ladders. Ladders shall be adequately secured against inadvertent movement.

(d) Every scaffold and part thereof shall be—

(A) designed so as to prevent hazards for workers and collapse or accidental displacement when properly used;

(B) designed so that guard rails and other protective devices, platforms, putlogs, rakers, transoms, ladders, stairs or ramps, as appropriate,

can be easily put together;

(C) of suitable and sound material and of adequate size and strength for the purpose for which it is to be used and

(D) maintained in a proper condition.

(viii) Precautions against the fall of persons and materials—

(a) All openings through which workers are likely to fall should be kept effectively covered or fenced and clearly indicated in the most appropriate manner.

(b) Adequate precautions shall be taken such as the provision of fencing, lookout men or barriers to protect any person who might be injured by the fall of materials, or tools or equipment being raised or lowered.

(6) As far as practicable and in accordance with national laws and regulations, guard rails and toe boards shall be provided to protect workers from falling from elevated workplaces. Wherever the guard rails toe boards cannot be provided:

(i) adequate safety nets or safety sheets shall be erected and maintained; or

(ii) adequate safety harnesses shall be provided and used.

(7) Where necessary to prevent danger, guy wires, stays or supports shall be used or other effective precautions shall be taken to prevent the collapse of structures or parts of structures that are being dismantled or demolished.

(8) Waste materials or objects shall not be thrown down from heights. If material and objects cannot be safely lowered from heights, adequate precautions such as the provision of fencing or barriers shall be taken. Loose articles shall not be left lying in places where they could fall on persons below. Workers employed at elevated workplaces shall be provided with containers for screws, bolts, nuts and the like.

(9) Training—

(i) Prior to delegation / entrustment of any job relating to ship recycling, workers shall be imparted proper training for the safe ship recycling operations in general and also for the specific jobs they are required to perform in the plot.

(ii) Such training shall be supplemented with provision to obtain certificate on successful completion of the training programme.

(iii) Training shall be in the language understood by the workers and shall prolong till such time necessary to get them acquainted with the knowledge and risk factors of ship recycling operations, with necessary examination and certification. Training shall include the hazards associated in the job and role of an individual during emergency situations. The syllabus of training programme should also include familiarization of radioactive material and

radiation hazard for State Maritime Boards/Ports handling radioactive waste. The syllabus for such training programme shall be as per the recommendations of National Authority/Competent Authority/ International Labour Organization/ State Pollution Control Board/Atomic Energy Regulatory Board /Port Authorities. Such training programs shall be conducted by the State Maritime Boards/Port Authorities or other approved agencies, prior to entrustment of any job relating to ship recycling. In addition, the following shall be ensured:

(a) An attendance register of workers working on the plot shall be maintained in accordance with the provisions of the Factories Act 1948(63 of 1948) and rules made thereunder;

(b) Photo identity cards carrying personal particulars of labourers may be issued by the ship recyclers in accordance with the relevant Rules, in an approved manner by the Port Authorities /State Maritime Boards and ship recyclers will maintain proper records of the entry and exit of the workers.

(c) A Safety Supervisor, having requisite qualification and experience as per the relevant rules, shall be employed.

(d) Only trained and registered workers having identity cards issued as per clause (ii) as mentioned above shall be engaged in respective ship recycling activity.

(e) Minimum two workers shall be employed who are trained to use gas detectors during ship recycling activity.

(f) Handling of asbestos shall be by contractors or workers having special knowledge and skill of handling asbestos, with proper training.

(g) All the equipment on the plot such as crane, winch, chain rope and shackles, generator set and any other safety equipment as may be specified from time to time, shall be installed and maintained in accordance with the provisions of the Factories Act, 1948 (63 of 1948) and the rules made thereunder and any other relevant Act(s) and Rules.

(h) Flammable and toxic gas detectors shall be calibrated annually to ensure correct values when used and an oxygen percentage analyser shall always be available in the plot in working condition.

(i) The workers shall be provided with Personal Protective Equipment/PPEs such as helmets, safety shoes, welding goggles, safety belt with safety life line, hand-gloves, self-contained breathing apparatus etc as provided in the relevant Acts and Rules for such purpose and such safety gadgets shall be conforming to relevant Bureau of Indian Standards (BIS) or equivalent standards or as approved by the Chief Inspector of Factories (by Directorate of Industrial Safety and Health, of the State Government concerned) and shall be mandatorily used by the workers during such activities.

(j) The workers engaged in ship recycling activities shall be provided with

the necessary instructions by the Safety Officer/Safety Supervisor with respect to the availability and use of fire fighting and safety equipment installed and maintained at the plot and on the ship and shall also ensure that such instructions are provided to the workers prior to delegation or entrustment of actual work to them.

(k) The workers engaged in ship recycling activities shall be provided with the necessary instructions, information and training regarding the emergency and evacuation plan so that it may be executed smoothly in an emergency.

(iv) The following areas shall be given special attention and the workers shall have expertise with necessary training and certificates for the works allotted to them as follows: -

(a) Separate work permit shall be issued for working at height, working in confined spaces & working in hazardous area/environment like flammable/toxic/corrosive environment etc. Use of safety belt/safety net and helmet shall be mandatory while working at height.

(b) Working in Confined Space: no work shall be done in enclosed area without checking the presence of oxygen. Presence of adequate oxygen meters in the confined space and oxygen tanks/masks in the vicinity of the confined space shall be mandatory.

(c) Working in Flammable Environment- the ship recycler shall ensure that spaces and adjacent spaces that contain or have contained combustible or flammable liquids or gases are inspected by the Safety Officer /Supervisor or other specially trained person to determine the presence of combustible or flammable liquids. The ship recycler shall also ensure that flammable vapours or gases in the spaces to be entered are below the explosive limit and sufficient ventilation is provided to ensure that the concentration of flammable vapor is maintained below the lower explosive limit (at < 10% of the lower explosive limit) and there is sufficient oxygen for man entry.

(d) Working with Toxic, Corrosive, Irritant or Fumigated Atmosphere or Residues- the ship recycler shall ensure that spaces or adjacent spaces that contain or have contained liquids, gases or solids that are toxic, corrosive or irritant are inspected visually by the Safety Officer/Supervisor or other specially trained person. He shall also ensure that air concentration of toxic, corrosive or irritants is maintained below its Threshold Limit Value (TLV) as per the Material Safety Data Sheet (MSDS) of that chemical, prior to entry by workers to the concerned spaces.

(e) For gas cutting, the recycler shall employ only the workers certified for gas cutting work. Gas cutters shall be provided with flame arrestors.

(f) For crane operation: inspection and testing records of cranes and lifting tackles shall be maintained as per statutory norms and appropriate Personal Protective Equipment/PPEs shall be provided to crane operators. A competent and reliable operator and signaler to be engaged.

(g) For handling Asbestos Wastes and Asbestos Containing Materials/ACMs,

specialized contractors shall be engaged. The removal of asbestos dust and fibers and its handling shall be done in a wet condition. Onshore, removal of asbestos shall be done in enclosures maintained under negative pressure, with filters for outgoing air and wastewater. All applicable safety standards and measures shall be adhered to in respect of such enclosures.

(h) For "Ships of Special Concern", where asbestos/Asbestos Containing Materials quantities are the Special Concern, asbestos/ Asbestos Containing Materials removal on board shall be given special importance and the practice of wet removal of asbestos onboard shall be mandatorily followed with the use of appropriate Personal Protective Equipment/PPEs.

(i) The asbestos and broken pieces of Asbestos Containing Materials/ACMs sheets/panels thus removed shall be packed in leak proof packets and disposed of at secured landfills where the packets shall be handled and processed as per the State Pollution Control Board/SPCB norms. Recovered and usable Asbestos Containing Materials/ACMs sheets/panels shall be sold for reuse as permitted by law.

(j) Personal Protective Equipment/PPEs like masks or respirators shall be provided to all the workers engaged in asbestos removal or handling.

(k) For removal of asbestos specialized contractors should be accredited and their performance assessed periodically.

(l) Only specialized trained workers shall be employed in activities involving handling of asbestos, Polychlorinated Biphenyls/PCBs or other hazardous substances.

(m) In so far as handling of radioactive substances, guidelines/instructions of the Atomic Energy Regulatory Board/AERB shall be followed.

(n) Ship recyclers need to ensure that workers are appropriately trained and certified for the intended activity.

(o) Until separate training and certification arrangements are provided by an Institute duly approved by National Authority, the Port Authority may set up necessary temporary facilities for training and certification or authorize a competent agency to do so.

(10) Health Protection—

(i) Ship Recyclers shall ensure that medical examination of worker(s) is carried out at least once in two years and if the age of the worker / worker is more than 45 years then such medical examination to be carried out at least once in a year.

(ii) Ship Recyclers shall regularly arrange the health camps for ship breaking labour at their own cost. Ship Recyclers shall also arrange for diagnosis, treatment and referral at their own cost for ship breaking labourers.

(iii) State Maritime Board shall ensure establishing adequate number of permanent health care facilities and doctors at Ship Recycling Yards for treatment of orthopedic, burns and other chronic diseases and disabilities reported in the ship recycling industries.

(iv) Medical examination and Fitness Certificate to be obtained at the time of entry (while Undergoing training), as per the requirements of the National Institute of Occupational Health/NIOH or Indian Council of Medical Research/ICMR institutions, may be undertaken by Multi Specialty Hospital.

(v) Ship recyclers shall include procedures to be used for monitoring, exposure and for medical surveillance.

(vi) National Authority shall specify the scope and format of medical examination from time to time.

**3. Maintenance and operation of lifting appliances and loose gear—**

(1) Construction and maintenance of lifting appliances and loose gear. —

(i) Every lifting appliance or loose gear shall be—

(a) of good design and construction, sound material and adequate strength for the purpose for which it is used and free from patent defects and,

(b) properly maintained in good repair and working order.

(ii) Components of the loose gear shall be renewed if one of the dimensions at any point has decreased by 10 per cent. or more by user.

(iii) Chains shall be withdrawn from use when stretched and when increase in length exceeds five per cent, or when a link of the chain deformed or otherwise damaged or raised scarfs of defective welds appeared.

(iv) Rings hooks, swivels and end links attached to chains shall be of the same material as that of the chains.

(v) The voltage of electric supply to any magnetic lifting device shall not fluctuate by more than + 10 per cent.

(vi) Lifting appliance should be initially examined by a competent person before putting in use.

(vii) Every item of loose gear including wire ropes shall be clearly marked with its safe working load and identification mark by stamping or where this is impracticable, by other suitable means.

(2) Operation of lifting appliance or loose gear. —

(i) Constant and adequate supervision shall be provided while heavy loads are lifted. Only those lifting machines, wire ropes and lifting tackle shall be used which are tested and certified by a person as per section 2 (ca) of the Factories Act, 1948 (63 of 1948) and approved by Directorate of Industrial Safety and Health/DISH. As per section 29 of the Factories Act, 1948 (63 of 1948) it shall be ensured that the material handling equipment are safe.

(ii) A signaler shall be provided during the operation of crane where the crane operators visibility is restricted or obstructed or object is more than 5m distance from the crane operator.

(iii) No person shall be employed to operate transport equipment or as a signaler unless he is above 18 years of age and is sufficiently competent and reliable.

(iv) Qualification for mobile crane drivers, signaler, etc.- No person shall be employed to drive or operate lifting appliances whether driven by mechanical power or otherwise or to give signals to driver or operator of such lifting appliances unless he is above 18 years of age and is sufficiently competent and reliable.

(v) It is recommended to provide automatic safe load indicators for cranes and winches, if such indicator is provided it shall give warning to the operator whenever the safe working load is exceeded.

(3) Periodical testing, examination, recording and certification of lifting appliances and loose gears. —

(i) All lifting appliances and loose gears shall be initially tested by a competent person, before taking into use or after undergoing any substantial alternations or renders to any part liable to affect its safety and shall subsequently be retested or examined annually.

(ii) The lifting appliance and loose gears to be load tested to 1.1 times of the safe working load once in every five years in the presence of Competent person. Such Competent person, as applicable, can be as per Factories Act,1948 (63 of 1948) or as per the Dock Workers (Safety, Health and Welfare) Act, 1986 (54 of 1986).

(iii) All lifting appliances and loose gears shall be thoroughly examined once at least in every twelve months by a competent person. Such Competent person, as applicable, can be as per Factories Act,1948 (63 of 1948) or as per the Dock Workers (Safety, Health and Welfare) Act, 1986 (54 of 1986).

(iv) Chains shall be thoroughly examined once at least every month by a responsible person of the ship recycling facility.

(iv) A register of periodical test and examination to be maintained along with the inventory of loose gear.

(vi) A certificate for periodical test or examination to be obtained from Competent person and to be attached to the register.

(vii) No lifting appliance and loose gear in respect of which an entry is required to be made and certificates of test and examination are required to be attached in the register, shall be used for recycling work unless and until the required entry has been made in the register and the required certificates have been so attached.

**4. Maintenance and decontamination of tools, equipment and ladders / gangways–**

(1) Ship recycling facility should include procedures for inspection and maintenance of equipment, regulatory requirements for third-party inspections and decontamination procedures. These activities and the result of the inspections should be recorded.

(2) The Ship Recycling Facility should ensure that the quantity and the deployment of tools and equipment are suitable for the corresponding recycling activities, especially when multiple ships are to be recycled at the same time.

(3) All the gas detectors, load-indicators and calibration equipment's need to be calibrated by a competent person once every year for its reliability and operational readiness.

(4) All the ladders and gangways need to be examined annually by a trained person of ship recycling facility and to be load tested at 5-year interval for its intended safe working load in the presence of an approved third-party agency.

**5. Emergency preparedness and response plan/EPRP—**

(1) Emergency preparedness and response arrangements shall be established and maintained. The Emergency preparedness and response plan/EPRP should be a separate self-contained document.

(2) The Emergency preparedness and response plan/EPRP arrangements shall identify the potential for accidents and situations of emergency and seek to address and prevent the OSH risks associated with such emergencies. Arrangements shall be made according to the location and environment of the Ship Recycling Facility and take into account the size and nature of activities associated with each ship recycling operation.

(3) The plan shall include:

(i) ensure that the necessary information, internal communication and coordination are provided to protect all people in the event of an emergency at the facility;

(ii) provide information to and communication with the relevant competent authorities, and the neighborhood and emergency response services;

(iii) address issues of first-aid and medical assistance, fire- fighting and evacuation of all people at the facility; and

(iv) provide relevant information and training to all members of the Ship Recycling Facility, at all levels and according to their competence, including regular exercises in emergency preparedness and response procedures.

(v) the emergency response plan drill should be conducted once in 6 months. Further, an off-site emergency plan for the whole district should be prepared and to be conducted once in a year.

(vi) as a minimum, include the Facility's response to:

(a) fire or explosion or ingress of water on the ship being recycled or awaiting recycling, within the perimeter of the Facility, or in an adjacent facility;

(b) accidents to workers within the Facility;

(c) spillages of Hazardous Materials; and

(d) probable acts of nature in the area concerned, such as earthquakes or flooding.

(vii) Response procedures for evacuation from enclosed spaces and designate team to act in such situations while ensuring operational readiness for evacuating equipment's in designated areas.

(4) Fire and explosion prevention, detection and response—

(i) All appropriate measures shall be taken by the employer to—

(a) avoid the risk of fire;
(b) control quickly and efficiently any outbreak of fire;
(c) bring about a quick and safe evacuation of persons.

(ii) Sufficient and secure storage areas shall be provided for flammable liquids and solids and gases such as liquefied petroleum gas/LPG tanks and acetylene cylinders, paints and other such materials.

(iii) Smoking shall be prohibited and "No Smoking" notices prominently displayed in all places containing readily combustible or flammable materials.

(iv) In confined spaces and other places in which flammable gases; vapours or dusts can cause danger:

(a) only suitably protected electrical installations and equipment including portable lamps, shall be used;
(b) there shall be no naked flames or similar means of ignition;
(c) there shall be notices prohibiting smoking;
(d) oily rags, waste and clothes or other substances liable to spontaneous ignition shall be removed promptly and without any delay to a Safe Place;
(e) adequate ventilation shall be provided; and
(f) persons wearing clothes likely to cause static electricity or shoes likely to cause sparks shall be excluded.

(v) Combustible materials, greasy/oily waste and scrap wood or plastics shall be kept in closed metal containers in a safe place.

(vi) Regular inspections shall be conducted in places where there are fire risks. These include the vicinity of heating appliances, electrical installations and conductors, stores of flammable and combustible materials, hot welding and cutting operations.

(vii) In accordance with the provisions of the relevant Acts and Regulations, places where the danger of fire exist, shall be provided with:

(a) suitable and sufficient fire -extinguishing equipment, readily available, and easily visible and accessible;
(b) an adequate water supply at ample pressure.

(viii) Fire-extinguishing equipment shall be selected and provided in accordance with the provisions of international and national laws and regulations, the results of

the initial hazard identification and risk and assessment and based on the processes, identified in the safe ship recycling plan. Equipment deployed shall comply with national/international standards and be suitable for and consistent with the following demands and applications:

(a) the restricted access, egress and confined spaces inside the ship;
(b) the quantity and characteristics of hazardous, flammable and explosive substances handled in ship recycling operations;
(c) site transport and storage facilities; and
(d) first-stage fire-fighting purposes (hand-held or trolley-mounted portable fire- fighting extinguishers). The extinguishing medium shall be selected according to identified hazards and risks and control measures.

(ix) Fire-extinguishing equipment shall be properly maintained in full working order and inspected annually by a competent person. Hydrotesting of applicable fire- extinguishing equipment's to be carried out at least once in 5 years. Access to fire extinguishing equipment such as hydrants, portable extinguishers and connections for hoses shall be kept clear at all times.

(x) Suitable training, instruction and information shall be given to all supervisors and a sufficient number of workers about the; hazards of fires, the appropriate precautions to be taken and the use of fire- extinguishing equipment, so that adequately trained personnel is readily available during all working periods. The training, instruction and information provided shall include, in particular:

(a) the circumstances in which workers shall not attempt to deal with a fire themselves but shall evacuate the area and report to firefighters:
(b) when, where and how to raise the alarm;
(c) action to be taken in the event of fire, including the use of means of escape:
(d) the correct use of fire-fighting and fire-protection equipment for workers expected to use it;
(e) the toxic nature of the fumes given off and first-aid measures;
(f) the proper use of appropriate personal protective equipment; and
(g) evacuation plans and procedures.

(xi) Sufficient and suitable areas should be provided for flammable liquids and solids adhering to the provisions stipulated in the relevant Acts and rules for storage of such materials and suitable and effective means (sight and sound signals) to give warning in case of fire shall be installed. There shall be an effective evacuation plan so that all persons are evacuated speedily without panic.

(xii) Notices shall be prominently posted at conspicuous places indicating; if applicable, the, —

(a) nearest fire alarm;

(b) telephone number and address of the nearest emergency services; and

(c) nearest first-aid post.

**6. Environmental compliance approach—**

(1) Environmental monitoring—

(i) Ship recycling facility should establish the environmental monitoring programme aimed at preventing possible negative impacts to the environment during ship recycling within/close to their premises/work area. Possible negative impacts during ship recycling may be divided into four main categories:

(a) releases of Hazardous Materials to ground and sediments;

(b) releases of Hazardous Materials to water;

(c) emissions of Hazardous Materials to air; and

(d) noise/vibrations.

(ii) The monitoring programme, if included in the Ship Recycling Facility Plan/SRFP, should be Facility- specific, taking into account the Facility's characteristics, such as the use of dry dock, jetty/piers and/or recycling plots on land-sea interface, and should identify chemical, biological and physical changes in the environment surrounding the Ship Recycling Facility. The monitoring programme, if included in the Ship Recycling Facility Plan/SRFP, should utilize well-established national or equivalent international standards for the sampling and analysis of relevant environmental parameters.

(iii) Asbestos fiber concentrations in the environment shall be monitored regularly by the State Pollution Control Board/SPCB.

(iv) State Pollution Control Boards/SPCBs shall set-up ambient air quality monitoring station within 10Km radius of ship breaking units for taking measurements as per notification of Central Pollution Control Board on National Ambient Air Quality Standards. Further, State Pollution Control Board/SPCB shall also carry out periodic monitoring of soil, sediment quality, work-zone air quality and marine water quality in ship breaking areas. Port Authority shall carry out twice yearly monitoring of the same independently through any Council of Scientific & Industrial Research/CSIR labs or the environmental labs recognized under the Environment (Protection) Act, 1986 (29 of 1986) for the same parameters.

(2) Management of hazardous materials—

(i) Prior to recycling, the Inventory of Hazardous Materials/IHM shall, in addition to the properly maintained and updated Part I, incorporate Part II for operationally generated wastes and Part III for stores.

(ii) Ships destined to be recycled shall conduct operations in the period prior to

entering the Ship Recycling Facility in a manner that minimizes the amount of hazardous materials, cargo residues, fuel oil and wastes remaining on board.

(iii) It is recommended that the following aspects of proper management of Hazardous Materials should be clearly addressed for each of the potentially Hazardous Materials identified above:

(a) identification, marking and labelling and potential on-board locations;

(b) recycling approach;

(c) removal, handling and remediation;

(d) storage and labelling; and

(e) treatment, transportation and disposal;

(f) additional sampling and analysis;

(g) management of potentially containing hazardous materials.

(iv) The Facility's approach to the safe and environmentally sound removal and treatment of any non-hazardous wastes on board should be established along with control procedures and capabilities for removing and treating all such non-hazardous wastes, taking into account applicable national or international standards.

(v) Creation / enhancement / maintenance of facilities for removal, storage and disposal of hazardous materials and hazardous wastes.

(3) The ballast water is required to be exchanged at high seas to avoid entry of Ceresin organisms into the local environment. The sediments are generally disposed of at yard/into' tidal zone. To avoid this, it shall be ensured by the Master of the ship that the sediments are also disposed along with ballast water by churning the mass. Alternatively, the sediments shall have a reception facility at the yard to be set up by the Port Authority/ State Maritime Board or authorized agencies on cost-recovery basis. Master of the Ship should be required to issue a certificate that this has been done.

(4) Oil sediments removal practices shall be modernized to avoid workers getting exposed to unhygienic and unsafe environment. The yards shall use mobile tank cleaning systems to clean the tanks inside surfaces by adopting modern methods in which detergents and high-pressure jets may be used cleaning with cotton waste/sand as a last resort.

(5) A land based common facility for treating bilge water shall be set up by the port authority or agencies authorized by it and made available to the recyclers on cost-recovery basis. Alternatively, a mobile facility shall also be provided by the port authority or authorized agencies. The sediments shall be sent to the secured landfill for disposal.

(6) There shall be no burning of any material on the plot/yard/intertidal zone.

(7) For removal and disposal of asbestos, the following procedure shall be followed, namely: –

(a) For handling Asbestos Wastes and Asbestos Containing Materials/ACMs, specialized contractors shall be engaged. The removal of asbestos dust and fibers and its handling shall be done in a wet condition. Onshore, removal of asbestos shall be done in enclosures maintained under negative pressure, with filters for outgoing air and wastewater. All applicable safety standards and measures shall be adhered to in respect of such enclosures.

(b) For "Ships of Special Concern", where asbestos/Asbestos Containing Materials quantities are the Special Concern, asbestos/ Asbestos Containing Materials removal on board shall be given special importance and the practice of wet removal of asbestos onboard shall be mandatorily followed with the use of appropriate personal protection equipment.

(c) The asbestos and broken pieces of Asbestos Containing Materials sheets/panels thus removed shall be packed in leak proof packets and disposed of at secured landfills where the packets shall be handled and processed as per the State Pollution Control Board norms. Recovered and usable Asbestos Containing Materials sheets/panels shall be sold for reuse as permitted by law.

(d) personal protection equipment like masks or respirators shall be provided to all the workers engaged in asbestos removal or handling.

(e) For removal of asbestos specialized contractors shall be accredited and their performance assessed periodically.

(f) Only specialized trained workers shall be employed in activities involving handling of asbestos, Polychlorinated Biphenyls/PCBs or other hazardous substances.

**7. Environmentally sound management of hazardous materials—**

(1) A modern Solid Waste Management system shall be established in the plot to collect, transport, store and dispose of solid waste generated from the plot in accordance with the conditions of authorization issued by the concerned State Pollution Control Board, from time to time.

(2) Special care shall be taken in the handling of asbestos wastes, and total quantities of such waste shall be made known to the authorities concerned. The concerned State Pollution Control Board shall authorize and ensure final disposal of asbestos waste.

(3) The Ship Recyclers shall be given authorization by the concerned State Pollution Control Board under the Hazardous Wastes (Management Handling and Trans-boundary Movement) Rules, 2016, only if they have provisions for handling and disposal of the waste in an environmentally sound manner.

(4) All authorizations shall be renewed subsequently only if they have complied with the conditions of authorization and have adequate facilities for handling and disposal of wastes in an environmentally sound manner.

(5) Radioactive waste including ionization chamber-based smoke detectors, if any, shall be securely stored in an exclusive place till such time they are disposed of as per norms of the Atomic Energy Regulatory Board/AERB.

(6) All ship recycling units shall obtain authorization under the E-waste (Management) Rules, 2022.

(7) The Ship Recyclers shall strictly ensure the environmental compliance as per the requirements under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Hazardous Wastes (Management, Handling and Trans -boundary Movement) Rules 2016, and the relevant environmental impact assessment and coastal regulation zone notifications in case of new facilities planed.

(8) The following shall also be ensured, namely: —

(i) Plot/yard shall be kept neat and clean and good housekeeping shall be carried out all the time.

(ii) All plot holders shall create temporary storage as authorized by State Pollution Control Board/SPCB under the Hazardous Waste (Management, Handling and Trans-boundary Movement) Rules,2016.

(iii) Each Plot holder shall provide for handling Asbestos Containing Materials/ACMs and Asbestos Wastes with specially designed Negative Pressure Chambers with trained labours or avail common mobile facility for such removal. The concentration of Asbestos fiber in the work zone while recycling of the ships shall be complied with the specified norms, i.e., less than 0.1 fibre per cubic centimeter for Blue and Brown Asbestos and less than 1 fibre per cubic centimeter as per OSHA standards. Alternatively, the plot holders shall avail the Common Asbestos Handling System as approved by Directorate General, Factory Advice Service and Labour Institutes/DG, FASLI and State Pollution Control Boards/SPCBs.

(iv) Each plot holder shall become a member of Treatment Storage and Disposal Facility/TSDF authorized by the State Pollution Control Board/SPCB to dispose their wastes into it.

(v) Each plot holder shall maintain registers with calculation for each kind of wastes generated. Accordingly, the ship recyclers shall maintain ship-wise register for all waste categories.

(vi) The Ship Recyclers shall pay for waste management charges to Treatment Storage and Disposal Facility/TSDF operator/ State Maritime Board, if State Maritime Board is operating the same, based on the actual quantities of wastes disposed.

(vii) Seller / Ship Recyclers shall implement a local oil spill contingency plan to combat any oil spill eventuality from the anchoring point up to the ship recycling plots. Oil spill contingency plan shall be approved by the Indian Coast Guard.

(viii) Ship Recyclers shall enhance their support to regulatory authorities for environmental monitoring done from time to time including providing manpower, equipment, vessels and support, if any, required.

(ix) For development of new plots or yards, ship recyclers through the State Maritime Board or Port Trusts/Port Authorities shall have to obtain Environmental Clearance under EIA Notification-2006 and Coastal Regulation Zone (CRZ) Clearance under the CRZ Notification-1991.

(x) All ship recycling units shall be provided with air pollution control systems like suction devises or water sprinklers where appropriate (feasible) to minimize dust generation due to material handling.

(xi) Each plot holder shall maintain basic oil spill response resources including sorbent boom, sorbent pads, and absorbent sheets in a quantity sufficient to attend to any spill from the ships being recycled in the plot.

(9) The State Pollution Control Board/SPCB shall monitor for management and handling of hazardous wastes, etc. The main items of ships and the substances of concern with disposal options are in following table:

| **S. No.** | **Main items of ship that may contain substances of concern** | **Substances of concern** | **Appropriate Disposal Option (Reuse/ Recycle / Incineration Treatment & Disposal to secure landfill) of substances of concern** |
|---|---|---|---|
| 1 | Electric equipment e.g. transformer, batteries, accumulators | Dielectric fluids containing Polychlorinated Biphenyl/PCBs Lead/electrolyte in Unusable Batteries | Incineration/ Disposal in secured landfill after stabilization/ solidification shall be in authorized Treatment Storage and Disposal Facility/TSDF whereas recycling of used lead acid batteries and/or other lead bearing waste shall be through authorized recyclers under Hazardous and Other Waste (Management and Trans-boundary Movement) Rules, 2016 [HW Rules 2016]. |
| 2 | Air conditioners and Refrigeration machines | Residual refrigerants as Ozone Depleting Substances Evaporator dosing/ de-scaling acids. | All the electrical and electronic waste shall be recycled through E-waste recyclers authorized under E-Waste (Management) Rules, 2016. |
| 3 | Tanks | Fuels, lubricants. Sludge Oil and grease | Reuse, refining/ recycling shall be through authorized recyclers authorized by State Pollution Control Board/SPCB under HW Rules, 2016 and disposal of residue in an authorized facility. |
| | | Foreign aquatic Organisms in ballast Tank sediments | Treatment and disposal of bilge water. Exchange of ballast water in high seas. |
| 4 | Partition walls | Asbestos Containing Materials/ACMs, Paints containing Polychlorinated Biphenyls/PCBs and /or Lead or Broken pieces containing Asbestos Containing Materials /ACMs | Copper bearing waste to be recycled by authorized recyclers and non-recyclable material to be disposed of through authorized Treatment Storage and Disposal Facility/TSDF. |
| 5 | Cables | Insulated copper cables | Should be given to registered recycler of copper bearing waste and dispose of insulation material through Treatment Storage and Disposal Facility/TSDF as per State Pollution Control Board/SPCB norms. |

| | | | |
|---|---|---|---|
| | | Other cables | Sold for re-use. Dispose of insulation material through Treatment Storage and Disposal Facility/TSDF |
| 6 | Heat Exchangers | Asbestos insulation on surfaces | Disposal of asbestos in an authorized secured land fill after solidification/ stabilization. |
| 7 | Facilities for Chemicals | Residues of toxic Chemicals/ reagents | Incineration/disposal in a secured landfill after treatment. |
| 8 | Stored Solvents and other chemicals stocks | Residues of I toxic Chemicals, solvents, thinners, kerosene, white spirit water treatment chemicals. Acetylene/Propane/ Butane/Miscellaneous medicines | Recovery/recycling of solvents through authorized recyclers under HW Rules, 2016, reuse if permitted under State Pollution Control Board/SPCB guidelines. Non-recyclable residues to be disposed through authorized Treatment Storage and Disposal Facility/TSDF after treatment for stabilization as required. |
| 9 | Paint Scrap | Polychlorinated Biphenyls/PCBs, Tributyltin (TBT), Lead | Disposal in a Secured Land Fill (SLF) as per the guidelines specified by Central Pollution Control Board. |
| 10 | Sacrificial anodes | Heavy metals | Reuse, recycling and recovery shall be done whereas non-recyclable residue shall be disposed of in authorized Treatment Storage and Disposal Facility/TSDF after pre-treatment or immobilization. |
| 11 | Fire Extinguishing and firefighting equipment | Halons, $C0_2$ Cylinders | Recovery and banking for reuse. Recycling through authorized facilities; Recycle/Reuse as per Gas Cylinder Rules. |
| 12 | Piping, valve and fittings | Asbestos as Insulation/ Gaskets | Disposal to SLF after solidification / stabilization |
| 13 | Pumps and Compressors | Asbestos in Gaskets | Disposal to Secured Land Fill (SLF) after solidification/stabilization |
| 14 | Engines and Generators | Asbestos insulation, residues of lubricants/ oils/coolants antifreeze compounds | Disposal to Secured Land Fill (SLF) after solidification/ stabilization or incineration; disposal to Secured Land Fill (SLF) after treatment; for coolants, pre-treatment and disposal to SLF. |
| 15 | Oil sumps | Sediments | To be sent to authorized Treatment Storage and Disposal Facility/TSDF for disposal through common hazardous waste incineration. |
| 16 | Hydraulic system | Residual fluids, Anti-freeze fluids | Re-refining through registered/ authorized units. |
| 17 | Light fittings and fixtures | Polychlorinated Biphenyls/PCBs | Waste material to Secured Land Fill (SLF). |
| 18 | Instruments | Mercury, radioactive materials including ionizing radiation-based smoke detectors and liquid level indicators. | Recovery of mercury by distillation and re-use of recovered mercury by facilities permitted under HW Rules, 2016. |
| 19 | Fixed Co2 system Cylinders | Co2 Gas Cylinders and pressurised cylinders | Recovery or disposal as per State Pollution Control Board/SPCB guidelines and handling as per Gas Cylinder Rules. |

Note: Hazardous materials as per part I of Inventory of Hazardous Materials/IHM and/or mentioned in above table, not meant for resale, will be handed over to authorized waste management facility for further treatment and disposal.

**8.** Compliance measures towards State Pollution Control Board/SPCBs—

The Ship Recycler shall obtain necessary authorization and consent from the State Pollution Control Board/SPCB for ship recycling activities and shall observe the following requirements:

(1) The Ship Recycler shall observe wherever applicable all the norms/stipulations covered under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Environment (Protection) Act, 1986 (29 of 1986), the Hazardous Wastes (Management, Handling and Trans-boundary Movement) Rules, 2016 and the Coastal Regulation Zone (CRZ) Rules, 1991 issued under the Environment (Protection) Act,1986 (29 of 1986).

(2) The Ship Recycler shall not allow waste materials such as oil cakes, dead cargo of inorganic stuff like hydrated/solidified cement, thermocol pieces, wooden pieces/rubber pieces, scrap iron and other metallic pieces, glass wool, rubber pipes and gaskets, Poly Vinyl Chloride(PVC) pipelines and pieces of PVC sheets, corks, asbestos pieces, etc. to be thrown directly into the sea or on the sea shore, but shall ensure that such waste materials are collected and stored in secured storage facility within the plot and shall be subsequently sent to the secured landfill site. Records shall be maintained regarding the quantities of such wastes generated in the yard for every ship recycled. In any case no open burning of hazardous waste either within the ship recycling yard or outside shall be allowed.

(3) The Ship Recycler shall strictly adhere to and follow the instructions issued by the State Pollution Control Board/SPCB for collection and disposal of toxic materials, such as asbestos, lead (Pb), chromium (Cr), etc. and organic materials such as Polychlorinated Biphenyls/PCBs.

(4) The Ship Recycler shall separately collect the sand and fine powder, if any, obtained after clearing of cargo holds of oil tankers and shall dispose of the same in secured landfill in accordance with the directions of the State Pollution Control Board/SPCB.

(5) The Ship Recycler shall sprinkle seawater, daily, over the working area to minimize dust generation due to material handling.

(6) The Ship Recycler shall take necessary measures for preventing the escape of oil or noxious liquid substances into the sea. If any oil or noxious liquid substances spill occurs and escapes into the sea, the Ship Recycler shall inform the Coast Guard and other concerned authorities and take necessary action for removal of the oil or noxious liquid substances slicks on the surface of the sea. If the spill is not contained and removed locally, necessary pollution report shall be made to the concerned authority in accordance with the National Oil Spill Disaster Contingency Plan (NOSDCP). The Ship Recycler shall be liable for the cleanup.

(7) The Ship Recycler shall maintain details of removal and surrender of smoke detectors

to the Port Authority for safe disposal as per Atomic Energy Regulatory Board/AERB norms.

(8) The waste generated during ship recycling shall be segregated into hazardous and non-hazardous categories and intimate their quantities to the authority concerned.

(9) Entire quantity of waste oil sludge and other mineral oil and paint chips generated during the ship recycling process shall be removed carefully and shall be sent immediately to the areas outside the beach for safe treatment and disposal.

(10) A list of materials generated during ship recycling need to be classified as hazardous waste and non-hazardous waste and shall be submitted periodically to State Pollution Control Board/SPCB.

(11) Establish control measures to prevent debris deposition into the water during the ship recycling activity or from maintenance areas from which debris might be transported into the marine environment by wind, storm, drains, tides or run-off.

(12) All gas cylinders recovered from ships shall be disposed of in accordance with applicable regulations as per State Pollution Control Board/SPCB norms.

## SECOND SCHEDULE

**(*See* regulation 6 )**

**COMPENSATION FOR WORKERS / EMPLOYESS IN CASE OF OCCUPATIONAL DISEASE, INJURY AND DEATH**

1. Individual or comprehensive insurance coverage shall be maintained for the workers engaged in ship recycling activity at least for the following cases:

| S.No. | Description | Amount to be compensated |
|---|---|---|
| 1 | Serious bodily injury during recycling activity | An amount of three lakh rupees; |
| 2 | Partial disablement sustained due to recycling activity | An amount of six lakh rupees; |
| 3 | Total disablement sustained due to recycling activity | An amount of twelve lakh rupees; |
| 4 | Death during the recycling activity or from the injury sustained during recycling activity | An amount of ten lakh rupees; |
| 5 | Occupational disease like asbestosis cancer | An amount of ten lakh rupees; |

2. Assessment of serious bodily injury, partial disablement and total disablement shall be certified by qualified medical practitioner. The Employee's Compensation Act, 1923 (8 of 1923) shall be referred for the purpose of determining the kind of injury, partial or total disablement and appropriate qualified medical practitioner.

3. Any payment or allowance which the worker has received from the ship recycling facility towards his medical treatment shall not be considered as a payment or allowance received by way of compensation within the meaning of this Schedule.

4. Workers shall retain their right to compensate for an amount determined in any other law for the time being in force if such amount exceeds to that determined in this Schedule.

5. In case any worker suffers from asbestosis cancer due to ship breaking occupation and such disabilities including loss of limbs or any part of body in accidents, the concerned ship recyclers or Ship Recyclers Association shall device a suitable mechanism to compensate the worker. The workers if detected for asbestosis and other diseases and disabilities due to ship recycling activities, Ship Recyclers shall have to re-employ the workers in less prone area as post disease plans and protect their livelihood. (Must consider)

6. In case any worker suffers from serious bodily injury or any kind of disablement or death

during recycling activity, the concerned Ship Recyclers or Ship Recyclers Association shall not only compensate the worker but shall consider re-employing the workers in less prone area as post disease plans or employ their dependent family member to protect their livelihood.

7. The compensations stated in this Schedule are in addition to the compensations as per the Employee's Compensation Act, 1923 (8 of 1923) / ESIC Compensation granted by the State government.

8. Until the compensations are revised at suitable intervals and these regulations are amended, the compensations specified in paragraph 1 of this Schedule may be increased in every five years period by the National Authority and specified by a special order.

## THIRD SCHEDULE

**(*See* regulation 17)**

**SHIPS OF SPECIAL CONCERN**

1. Classification of ships. — (1) The following ships shall be treated as "ships of special concern", namely: —

1. War ships;
2. Nuclear Powered Vessels;
3. Naval Ships;
4. Passenger or Passenger cum Roll-on / Roll-off (RORO) vessels weight 20,000 Light Displacement Tonnage (LDT) or more;
5. Petroleum, Oil, Chemical and Gas carrying tankers;
6. Floating Platforms for off-Shore Production (FPSO);
7. Vessels having mean draft more than 8 metres and requiring beaching / landing / recycling at 1.5 Kilometres or more from the shore base line; and
8. International Maritime Dangerous Goods (IMDG) carrying vessels.

(2) All ships other than ships of special concern would be treated as ships of general concern.

2. The nature of concern in respect of the ships of special concern and the essential infrastructure needed and precautions necessary to implement while handling such categories of special concern ships is now enumerated in the following table, namely: —

| S. No. | Category | Natureof Concern | Essential infrastructure and precautions necessary |
|---|---|---|---|
| 1. | Warships | Large quantities of Polychlorinated Biphenyls/PCBs ,Asbestos Containing Materials/ ACMs and radioactive materials | Adequate infrastructure at the ship recycling facility to handle the identified quantities of radioactive and other hazardous materials with adequate, approved infrastructure and disposal facilities nearby, adequately trained staff.<br>-Inspection and strict monitoring by the Atomic Energy Regulatory Board/AERB, directly or through RSO, for any radioactive materials, Customs Department, Navy, State Maritime Board, Port Authority and State Pollution Control Board/SPCB. The concerned State Maritime Board/Port Authority shall coordinate intimation, inspection and monitoring. |
| 2. | Nuclear powered ships and naval | Residual Radiation Level | Monitoring by Atomic Energy Regulatory Board /AERB of residual radiation<br>level and if such level is found to be higher than the permissible limits, to recommend measures for |

| | | | |
|---|---|---|---|
| | vessels | | decontamination. Reactors, cores and all radioactive wastes to be removed by ship owner before last voyage and before sending it for recycling. Inspection and strict monitoring by Atomic Energy Regulatory Board/AERB, Customs Department, Navy, State Maritime Board, Port Authority and the State Pollution Control Board/SPCB concerned. |
| 3. | Floating Platforms for Offshore Production, Petroleum. Chemicals, oil and gas carrying tankers | Difficulties for arrival at ship recycling facility and hazardous wastes in platforms and the vessels. | Extra precautions required in transferring hazardous materials or materials containing hazardous substances to avoid spillage into the sea. Inspection and strict monitoring by Customs Department, State Maritime Board/Port Authority/ State Pollution Control Board concerned. |

3. The Competent Authority shall ensure the applicable requirements mentioned in above paragraph 2 are duly complied prior to issuing permission for ship recycling.

## FOURTH SCHEDULE

**(*See* regulation 16)**

### REPORT OF INCIDENTS, ACCIDENTS AND OCCUPATIONAL DISEASES

**1.** Reporting, recording and **notice** of work-related injuries and diseases, ill health and incidents. — (1) In the establishment, review and application of systems for the reporting, provisions for recording and notice of work-related injuries and diseases, ill health and incidents shall be developed.

(2) Reporting, recording, notice and investigation of work-related injuries and diseases, ill health and incidents are essential for active monitoring and shall be undertaken to:

(a) provide reliable information about occupational accidents and diseases at facility level;

(b) identify major safety and health problems arising from ship recycling activities;

(c) define priorities faction;

(d) evolve effective methods for dealing with occupational accidents and diseases; and

(e) monitor the effectiveness of measures taken to secure satisfactory levels of safety and health.

**2.** Reporting **notice** of work-related **injuries. —** (1) All accidents at the work place shall be reported to the Competent Authority and Directorate of Industrial Safety & Health/DISH as per sections 88 and 88-A of the Factories Act 1948 (63 of 1948) and a copy of the same will be sent to the Port Authority.

(2) Such report shall be made immediately which shall *inter alia* contain:

(a) an accident report for sending to the Competent Authority and Directorate of Industrial Safety & Health/DISH; and

(b) a compensation report for sending to the insurance institution, in case applicable..

**3.** Reporting Notification of occupational **diseases. —** Reporting notice of occupational diseases shall be in accordance with the provisions of section 89 of the Factories Act, 1948 (63 of 1948) and the report of the Medical Officer shall include the following information, namely:–

(a) the name and full postal address of the patient;

(b) the disease with which he believes the patient to be suffering; and

(c) the name and address of the premises in which the patient is or was last, employed.

## FIFTH SCHEDULE

**(*See* regulations 10, 11, 12, 18 and 19)**

**PROCEDURE FOR OBTAINING ANCHORING, RECYCLING, BEACHING, DE-CONTAMINATION, GAS-FREE AND CUTTING PERMISSIONS**

**1. Information to be submitted prior to arrival of ship in India**. —

The manner of advance intimation about the arrival of ship to relevant authorities to be provided by the ship owners, ——

(a) Every ship intended to be recycled in a ship recycling facility shall, at least three days prior to its arrival at any Indian port, notify the Maritime Rescue Coordination Centre/MRCC its intended date of arrival and such intimation shall contain following particulars, namely: ——

(i) Name and Address of the identified ship recycling facility;
(ii) the coordinates of the area;
(iii) estimated duration of stay at the anchorage; and
(iv) declaration that the ship is on its final voyage heading for recycling.

This will enable the Maritime Rescue Coordination Centre/MRCC to provide necessary help to the ship(s) in case of any machinery breakdown, thereby avoiding any mishap to the Ocean Data Acquisition Systems (ODAS) and other ships at outer anchorages.

(b) Every ship intended to be recycled in a ship recycling facility shall, at least three days prior to the arrival of ship to any Indian port, inform to the State Maritime Board/Port Authority and jurisdictional Competent Authority.

(c) The State Maritime Board/Port Authority shall maintain a record of the information received under sub-para (2) and the nature and particulars of the ships intended to be recycled in a ship recycling facility and on receipt of the expected time of arrival of such ships, shall immediately provide such record to the Indian Navy and the Indian Coast Guard.

(d) Prior to the expected arrival of the ship at the anchorage, the ship recycling facility or the ship owner shall submit such documents and particulars in a manner, as may be required under the Customs Act, 1962 (52 of 1962) and shall also communicate to any other authority or authorities as may be specified by the Central or State Government.

**2. Compliances and documents to be submitted by shipowners upon ship's arrival in India- Procedure for anchoring. —**

(1) Notice to the Port Authority. — The Ship Owner shall submit to the State Maritime Board/Port Authority about his/her intention to send the ship to the Authorized Ship Recycling Facility as per format given in Form-7 at least 3 days prior to the arrival of ship for recycling.

(2) Submission of information/documents. — Along with the submission of the Form-10, the shipowner or recycler shall also submit the following information/ documents to the Port Authority, State Pollution Control Board and the Customs Department, for a desk review thereof, including on the genuineness of the documents and details of ship, which shall include, namely:–

(a) Name of the Ship;
(b) International Maritime Organization/IMO number of the Ship;
(c) Flag of the ship;
(d) Call Sign;
(e) Name of the Master of the Ship and his nationality;
(f) List of the crew;
(g) Gross Registered Tonnage/GRT) or Net Registered Tonnage/NRT or Light Displacement Tonnage/LDT of the ship with supporting documents;
(h) Port clearance from the last Port of call;
(i) Proof of ownership;
(j) details like name, address, contact number, e-mail address of the owner of the vessel and master of vessel;
(k) undertaking from the Shipowner that they will submit non- encumbrance certificate within seven days from the date of anchorage of vessel at outer anchorage. The permission for entry or beaching will be processed by State Maritime Board / Port authority only on production of the non-encumbrance certificate;
(l) copy of Memorandum of Agreement with Ship Recycler.
(m) copy of updated Inventory of Hazardous Materials and / or ready for recycling certificate.

In the case of ships of special concern, in addition to the identification and marking of all areas containing hazardous wastes/hazardous substances, quantification of such wastes/substances would also be necessary.

(3) Payment of Port Charges. — The Ship owner or the ship recycler shall also, along with the submission of the above-mentioned documents, pay all necessary Port charges for obtaining permission for the ship to enter the Port. The State Maritime Board / Port Authorities reserve their rights to refuse permission to enter the Port in the event of the shipowner or the ship recycler being in default of payment of past dues.

(4) Verification of Documents. — The Port Authorities, may, at their discretion or at request of the Competent Authority, shall consult the Competent Authority to verify the genuineness of the documents submitted to them. On receipt of any such request for consultation, the Competent Authority, shall verify the genuineness of the documents submitted for review.

(5) Refusal or withhold permission. —In the event of any of the documents submitted is deemed unreliable or if the document submitted found fake or conceals any material fact, the ship owner will be refused permission to anchor or enter or to beach or to cut.

(6) Desk review. — A desk review by the Port Authority/State Pollution Control Board/Customs needs to be carried out. Upon satisfactory desk review, a decision shall be taken by the Port Authority concerned. In case anchorage of the ship is refused then same to be conveyed to the ship owner. The ship owner is entitled to appeal to the concerned statutory authorities in accordance with their respective statutes. Any appeal order granted thereby shall be final and binding on the respective department and shall be considered by the concerned Port Authority for anchoring permission.

**3. Requisition of services from the agencies prior to granting permission for recycling**. —

At the time of boarding, the Ship Recycler need to submit following documents, in original, to the Port Authority/State Maritime Board for verification, namely: —

(a) Certificate of Registry;
(b) Valid Insurance certificates for third-party and oil pollution damage;
(c) Competency Certificate of Master, Officers and Ratings;
(d) Certificate of Inventory of hazardous materials and / or ready for recycling certificate;
(e) Present inventory of gases;
(f) Inventory of radioactive material on board;
(g) Co2 declaration;
(h) Confirmation of Ballast water exchange at high seas;
(i) Confirmation of the Bunker oil / lube oil or other Oil substances that are remaining on board;
(j) Cargo declaration form;
(k) Safe Manning Certificate and updated Crew list;
(l) Seller/agent pays applicable port dues to the port at the prevailing rate;
(m) The name of the State whose flag the ship is entitled to fly;
(n) Hull number on building delivery;
(o) The name and type of the ship along with the date of such registration;
(p) The name and the address of the ship owner;
(q) The name of the classification society (ies) with which the ship is classed; and
(r) The ships main particulars such as length overall (LOA), Breadth (Moulded), Depth (Moulded) Lightweight Cargo Carrying Capacity, Gross and Net tonnage, and engine type.
(s) Any other information of the ship required by various agencies needs to be provided and certified by Master.

**4. Physical Boarding and verification of various agencies. —**

(1) At anchorage, physical inspection of the vessel is carried out by following agencies, namely: —

(a) Representatives of Customs Department for all vessels;
(b) Representatives of Department of Telecommunications or Customs Department, as the case may be, for disconnection or surrender of the wireless equipment or restricted radio equipment present on-board ships;
(c) For chemical tankers, in its cargo hold, by the competent authority as approved by State Maritime Board / Port authority.
(d) Representatives of the Petroleum Explosives and Safety Organization to issue Safe-for-entry and safe-for-hot work certificate for petroleum tankers;

(e) In case of any warship, naval auxiliary, or other ships owned or operated by the Central or State Government and used for Central or State Government non-commercial purpose, Nuclear Powered ships representatives of the Atomic Energy Regulatory Board, State Pollution Control Board and Indian Navy for obtaining necessary clearance to carry out recycling;

(f) In case of ships other than those mentioned under the Third Schedule, Radiological Safety Officer for discharging duties in accordance with any applicable notification of the Atomic Energy Regulatory Board;

(g) Representatives of State Pollution Control Board/SPCB for all vessels above 500 GT;

(h) For all ships other than War Ships, Naval Ships and Nuclear- Powered Vessels, personnel the RSO of Port Authority trained and certified by Atomic Energy Regulatory Board/AERB who shall examine the ship from a radiological survey safety point of view. State Maritime Board /State Government/ Port Authority which does not have an RSO, may, if required, direct the Ship Recycler to obtain clearance from Atomic Energy Regulatory Board/AERB for ships belonging to category of general concern;

(i) Certified true copy of 'Certificate of Registry' certifying that the ships have no registered mortgage with email identity of the respective Registrar of Ships. Such certified true copy of the certificate of registry should not be dated earlier than 7 days;

(j) Prior approval of the Ministry of Defence is required for recycling of warships, naval ships and nuclear-powered ships, such permission shall be obtained by the Ship owner through State Maritime Board/Port Authority.

(2) The ship owner / ship recycler shall be responsible for the identification and marking of all areas containing hazardous wastes / hazardous substances, in the structure of the ship, and on board as far as practicable (by reference to the ship's drawings, technical specifications, ship's stores, manifest and in consultation with the ship builder, equipment manufacturers and others as appropriate) and shall be provided to the concerned agencies at the time of boarding the vessel.

(3) In case of ships of special concern as listed in Third schedule, identification and marking of all areas containing hazardous wastes / hazardous substances, quantification of such wastes / substances would be provided at the time of boarding by the concerned agencies. The details as specified in Form-6 would be additionally furnished to concerned agencies and Competent Authority.

(4) State Pollution Control Board/SPCB shall undertake an assessment of hazardous waste / hazardous substances available on the ship and likely to be generated during the ship recycling process and accordingly give clearance.

(5) On completion of inspections, if any deviations are observed by the inspecting authorities, contrary to the undertaking and documents submitted during desk review and the inspecting authorities shall notify the concerned State Maritime Board / Port authority. The State Maritime Board/Port Authority upon receiving such information shall communicate to Competent Authority and simultaneously withhold permission to enter recycling facility.

**5. Procedure for Customs clearance**. — (1) The Ship Recycler shall also submit all documents and details as required by the Customs Authorities under the Customs Act, 1962 (52 of 1962), at least three days prior to the expected arrival of the vessel at anchorage, to enable the Customs Authorities to complete all customs formalities under the Customs Act, 1962 (52 of 1962).

(2) Customs Officers shall board the vessel within 24 hours of arrival of the ship (as per Customs regulation) to complete all procedures and processes required under the Customs Act, 1962(52 of 1962). On completion of custom procedures, the Ship Recycler shall pay the duty, as duly assessed under the Customs Act, 1962 (52 of 1962). The ship recycler upon payment of applicable duty, as a proof shall produce Import Duty Challan. The Customs Authorities after obtaining Import Duty Challan shall, within 24 hours of, issue a No Objection Certificate to the State Maritime Board/Port Authorities, stating their No Objection to grant of permission to recycle and subsequent beaching of the vessel.

(3) In case challan for the payment of customs duty in not generated even after lapse of 24 hours from the time of filing of Bill of Entry, then provisional no objection certificate for beaching of vessel imported for breaking may be granted by Customs subject to the compliance of all the following conditions, namely: —

(a) Bill of Entry has been filed in EDI module and subsequent query, if any, raised has also been complied with by the importer, but challan for the payment of customs duty is not generated even after lapse of 24 hours from the time of filing of Bill of Entry;
(b) Importer submits proof to the effect that at least 20% of the total payable customs duty is already available in Electronic Cash Ledger maintained by Indian Customs EDI System (ICES) as credit;
(c) Importer submits an undertaking that they shall deal with imported vessel for breaking only after the payment of applicable customs duty and on the grant of Customs Out of Charge, irrespective of the beaching permission granted to them in the subject matter;
(d) Importers shall follow the Customs Act Rules and Regulations issued there under including existing procedure as contained in their relevant Standing orders issued the concerned Commissioner of Customs and Central Excise;
(e) The importer shall not remove any material / any goods from the imported vessel before grant of Out of Charge by the Customs, which is to be given after payment of assessed duties and taxes. The responsibility of safety and security of the imported vessel and materials lies with the importer.

(4) It is understood that it is the State Maritime Board/Port Authority which shall grant permission for beaching of vessels after obtaining permission to recycle from Competent Authority.

(5) It is also understood that any sweepings of cargo (left over of last cargo) will be permitted to be cleared upon completion of proper import processes thereto if the sweeping/left out cargo have no commercial value or are not fit for consumption/use, such cargo shall be disposed of by the ship recycler as per appropriate statutes and rules framed there under.

(6) The authorized officer of Customs shall board vessel and destroy the Wireless equipment/restricted radio equipment as per the Indian Wireless Telegraphy Act, 1933 (17 of 1933) of the vessel in the presence of the Importer. Thereafter, the importer shall surrender the goods, if any, as per the MOA/IGM to the agent for further transshipment or delivery to the Customs as the case may be.

(7) After completion of all these formalities and on payment of all dues/duty on the vessel, the Customs Authority would give out of charge and clear the ship for recycling.

**6. Procedure for obtaining recycling permission from Competent Authority**. —

(1) Document verification. Following documents and records are to be verified, namely: –

(a) Certified true copy of 'Certificate of Registry' certifying that the ship is not having any registered mortgage and is free from maritime lien and encumbrances from the 'Registrar of Ships' only and not from any agent, with email identity of the Registrar of Ships. Such certified true copy of the certificate of registry should not be older than seven days;

(b) Vessel statutory certificates;

(c) Vessel insurance certificates;

(d) Ready for recycling certificate along with inventory of hazardous materials;

(e) approved ship recycling plan;

(f) Condition of load line or details mentioned in condition of load line like hull number, place of built, ship particulars;

(g) Continuous synopsis record or details mentioned in that record like ship owner details etc;

(h) Cargo declaration form;

(i) Competency certificate of Master and Crew;

(j) Safe manning document;

(k) Payment receipts of applicable port dues;

(l) Confirmation for the amount of bunker oil/Lubricating oil, steering gear oil, Hydraulic oil, stern tube oil and any other oil or oil residues expected to be on board;

(m) R.O.B of gas cylinders including Co2, N2, Oxygen, Acetylene and refrigerant or A/C gas;

(n) Anchoring Permission.

(2) Inspection of ship. — At the anchorage/location, specified by the Port authority, the ship shall be boarded and physically verified by agencies specified in section 4 of this schedule. The Competent Authority may nominate any surveyor for physical examination, in particular for ships of special concern, to ascertain whether development of Inventory of Hazardous Materials/IHM is as per IMO MEPC Guidelines specified by National Authority from time to time.

(3) Ship Recycling Plan/SRP and ready for recycling certificate. — The Ship recycler should prepare Ship Recycling Plan/SRP based on updated Inventory of Hazardous Materials/IHM

(including Part I, II and III) and submit for approval of Competent Authority. The flag administration of the concern ship, upon reviewing the approved Ship Recycling Plan/SRP, shall issue Ready for Recycling certificate upon satisfactory completion of final survey.

(4) Issue of recycling permission. —

(a) Ship recycler shall apply along with copy of ready for recycling certificate and Certificate of Authorization or the Document of Authorization for Ship Recycling/DASR of ship recycling facility.
(b) Upon satisfactory physical verification and upon receipt of clearance by all the concerned departments / agencies the permit to enter ship recycling facility shall be granted by the competent authority.
(c) The competent authority should convey the decision within two working days from the date of receipt of clearance from concerned departments.
(d) In the event of refusal to grant permission the ship owner shall be entitled for an appeal as per the provisions of the act.
(e) In case the competent authority fails to convey its decision within fifteen days of physical inspection then the entry permission is deemed to be tacitly accepted by the competent authority:

Provided when the decision is pending due to clearances from different authorities, then the competent authority shall inform via e- mail or official letter the reason for delay in decision to the ship recycling facility within fifteen days from the date of submission of application.

(5) Tacit acceptance. —

(a) In case competent authority fails to convey its decision or reasons for pending within fifteen days from the date of submission of application for entry permission then such permission is deemed to be tacitly accepted by the competent authority.
(b) Ship recycling facility shall keep the copy of written acknowledgement as supporting proof of tacit acceptance for any future verification.
(c) It is the responsibility of the ship recycling facility to obtain necessary clearance from concerned authorities and to ensure that the tacit acceptance is not unduly utilized when the clearances from concerned authorities are pending for the competent authority to issue entry permission.
(d) Every case of tacit acceptance shall be informed to National Authority, immediately upon its occurrence, by the competent authority and ship recycling facility.

**7. Procedure for obtaining entry permission to recycling facility from Port Authority/State Maritime Board.** –

(1) Entry permission shall be given by the Port Authority or State Maritime Board within one working day after receipt of clearances granted by all the concerned departments/agencies and permission to recycle by Competent Authority.

(2) Entry permission shall be granted by the Port Authority only to the authorized ship recycling facility subject to fulfilment of following specific requirements like —

(a) In case of beaching, all the double bottoms should be free from substances that may cause environmental damage. Ship or ships shall be allowed to beach one at a time, provided that all around there is at least five meters space.
(b) In the case of petroleum oil cargo tanks and petroleum slop tanks; on production of gas-free for hot work certificate along with gas free certificate given by the Petroleum and Explosives Safety Organization/PESO.
(c) In case of ships of special concern, on production of No Objection Certificate/NOC from Atomic Energy Regulatory Board; and
(d) In the case of war ships and naval vessels on production of No Objection Certificate/NOC from the Naval Department, the Atomic Energy Regulatory Board/AERB and the Customs Department.

(3) Petroleum tankers which have not obtained "fit for hot work" certificate for all cargo tanks, slop tanks, forward deep fuel oil tanks and forward coffer dams shall not be allowed to beach.

(4) On beaching of ship or ships entering recycling facility, the Ship Recycler shall take necessary actions —

(a) ensure that the vessel is secured properly;
(b) leftovers in bunkers are removed with proper precautions, including sufficient ventilation in engine room;
(c) bunker and bunker contents are disposed of to a registered dealer for petroleum products;
(d) used oil and sludge are disposed of to registered recyclers/ refinery only.

(5) The ship recyclers shall be liable to penalty and fines, including cancellation of license for ship recycling in the event they are found to have not complied with the aforesaid provisions during examination of their records or during inspections of their plots/yards by concerned agencies after observing Principle of Natural Justice.

**8. Permission from the State Pollution Control Board/SPCB and Directorate of Industrial Safety and Health/DISH prior to Cutting operation**. —

(1) The activities of ship recycling are identified as a hazardous process under section 2 (cb) of the Factories Act, 1948 (63 of 1948) and the provisions of Chapter-IVA, sections 41A to 41H of the Factories Act, 1948 (63 of 1948) shall be applicable.

(2) Directorate of Industrial Safety and Health shall inspect the ship recycling operation whenever felt necessary to check and ensure compliance with the provisions under the Factories Act,1948(63 of 1948).

(3) After beaching the ships, the Ship Recycler, shall remove all the loose and hazardous wastes including oil and petroleum hydrocarbon from, tanks, stop tanks etc.

(4) The State Pollution Control Board/SPCB shall issue decontamination certificate to ship recycler after inspection which will be done with proper lighting in the engine room. Simultaneously, Gas free and hot work permit as per section 68 H of the Factories Act 1948 (63 of 1948) shall be issued by competent authority/agency after ensuring safe and complete removal oils/used oil/hydrocarbon.

(5) Removal of hazardous material and other wastes prior commencement of cutting. —

(a) All the hazardous materials and wastes listed in ship recycling plan is to be removed as far as practicable.

(b) All the loose and hazardous wastes including those oils and petroleum hydrocarbons from pipe lines, tanks, slop tanks etc. shall be removed and decontamination certificate shall be issued by State Pollution Control Board/SPCB to the ship recycler after satisfactory completion of physical inspection. Simultaneously, gas free and hot work permit as per section 68 H of the Factories Act 1948 (63 of 1948) shall be issued by competent authority/agency after ensuring removal of oils/used oil/hydrocarbon from bunkers/pipe lines etc.

(c) Any leftover oils, used oils, sludge are handled with safely taking due precautions for possible damage to environment due to leakage and disposed of for further recycling/disposal.

(d) Any sweepings of cargo (left over of last cargo) shall be permitted to be cleared upon completion of proper import processes thereto where the sweeping/left out cargo has no commercial value or not fit for consumption/use. Such cargo shall be disposed of by the ship recycling facility as per appropriate rules and regulations applicable for that cargo.

(e) Ballast Sediments shall be discharged along with the ballast water with proper churning and left over shall be handed over to authorized agency of the State Maritime Board / Port Authority on payment of the fees as stipulated by State Maritime Board /Port Authority, for suitable disposal. In case of dead ship condition (Without propulsion and electric power) State Maritime Board/Port authority may consider equivalent arrangements to the extent possible. Such cases to be recorded and information provided by the Competent Authority to National Authority if required.

(f) In the case of ships of special concern, identification and marking of all areas containing hazardous wastes/hazardous substances, quantification of such wastes/substances need to be provided to State Pollution Control Board/SPCB.

**9. Procedure for Cutting permission**. —(1) The competent authority may grant permission for cutting operations within a maximum period of two working days upon satisfactory verification of following items, namely: —

(a) A certificate from the State Pollution Control Board that all kinds of oils, cargo residues and other loose hazardous wastes are completely removed and respective

holds and tanks are decontaminated.

(b) "Safe for entry and safe for hot work" certificate has to be issued by the Petroleum and Explosives Safety Organization/PESO for cargo and slop tanks of petroleum tankers, or by any competent agency authorized by the Directorate of Industrial Safety and Health/DISH under the Factories Act, 1948 (63 of 1948);

(c) Inspection shall be carried out by the Safety officer of Directorate of Industrial Safety and Health/DISH or authorized person of Directorate of Industrial Safety and Health/DISH to ensure -

(i) ignitable materials are completely removed from confined spaces that need to be certified for hot work;

(ii) areas in engine room are practically gas free with proper venting and well within explosive limits by use of calibrated multi-gas monitoring meter. On satisfactory compliance of this inspection, Safe for entry and safe for hot work permission shall be issued for engine room;

(iii) bunker area and those common areas of ships where there is likelihood of ignitable gases generations need to be properly ventilated and ensure that spaces are well within explosive limits by use of calibrated portable gas meters.

(2) In case any short coming is noted then the same shall be communicated in writing within two working days to enable the recycler to re-submit the request upon necessary corrections.

**10. Monitoring of worker safety and hazardous material during dismantling activity. –**

(1) Worker safety:

(a) A Safety officer/ Safety Officer as per the Factories Act 1948 (63 of 1948) shall be engaged by ship recycling facility.

(b) A competent person shall be engaged for issuance and continuous monitoring of conditions based on which safe for entry and safe for hot work permits issued as per the Factories Act 1948 (63 of 1948).

(c) All the equipment such as crane, winch, chain rope and shackles, generator set and any other safety equipment installed in the ship recycling facility or hired for the purpose of recycling shall be installed and maintained in accordance with the provisions of the Factories Act, 1948 (63 of 1948) and rules made thereunder and any other relevant Acts and rules.

(d) A safety officer/ Safety Supervisor is responsible for conducting meetings prior to starting any activity, briefing the risks involved in the activity and control measures taken to minimize such risks.

(e) A placard displaying important precautions (do's and don'ts) to be followed during ship recycling activity is installed at prominent places within the premises and that such display is made in English and other language(s) as understood by the workers involved in recycling.

(f) A calibrated explosive gas detector, a multi gas monitor including hydrogen sulphide (H2S) gas monitor, portable gas meters and an oxygen percentage analyzer are available on the site in working condition.

(g) Adequate lighting arrangement is made in the common areas of yard and in the spaces where activity is carried out. The SRF should conspicuously mark and maintain an emergency exit route and such route should always be free from any obstructions.

(h) The emergency response plan drill should be conducted once in 6 months. Further, an off-site emergency plan for the whole district should be prepared and to be conducted once in a year.

(2) Handling, storage and disposal of hazardous material:

(a) One Safety Officer/ One Safety supervisor as per section 41C (b) of the Factories Act 1948 (63 of 1948) shall be engaged by ship recycling facility.

(b) Supervisor shall ensure that hazardous materials are handled, stored, transported and disposed as per the approved ship recycling plan and in accordance with local legislations.

(c) The recycling facility shall maintain evidence that the hazardous material is handed over to the certified waste management agencies and a proof that the applied process will be carried out without endangering human health and environment.

**11. Security aspects of the ship in the ship recycling facility. —**

(1) Ship undergoing recycling shall be secured firmly throughout the completion of recycling process;

(2) Ships shall be allowed to be recycled in such a way that a minimum of five meter distance is maintained between adjacent ships.

(3) All equipment related to satellite, radio and communication equipment present onboard shall either be destroyed or surrendered to customs department (if necessary) by the ship recycling facility in presence of competent officer of the Port Authority;

(4) Ship recycling shall assist port authority(ies) and other agencies on aspects related to nations security and intelligence as and when requested;

(5) Ship recycling facility shall ensure that its premises are properly secured and guarded at all times having provisions for strict access control and checking of any material being taken out from the ship preventing any possibility of illegal entry of any contraband/radioactive element into the hinterland. Ship recycling facility shall ensure that they undergo regular security audits based on the Competent Authority.

(6) The concerned State Maritime Board / Port Authority shall issue requisite orders on all matters of security in consultation with the National Authority, Navy and the Coast Guard and circulate the same for strict compliance;

(7) A record of all ships reporting for breaking, along with the nature and details of the ships, shall be maintained by the State Maritime Board / Port Authority and shall be provided to the Naval and Coast Guard as soon as their Expected Time of Arrival (ETA) is received;

(8) Photographic record of all ships reporting for recycling shall be maintained by the State Maritime Board / Port Authority and provided to the Navy and Coast Guard;

(9) Details of arrival and departure of the crew including off-signer details, in particular for the foreign crew members are to be reported to the concerned Naval Authority,

prior to the actual arrival and departure of such crew;

(10) A monthly security and intelligence meeting shall be conducted by each Port Authority/ State Maritime Board in which representatives from local police, Intelligence Bureau, Coast Guard and the Navy shall participate;

(11) All ship breaking yards shall ensure proper security, i.e. physical security which should include boundary wall, deployment of armed guards/force/ security personnel, strict access control and checking of any material being taken out from the ship breaking yard, adequate checks against any possibility of any contraband/radioactive element entering the hinterland.

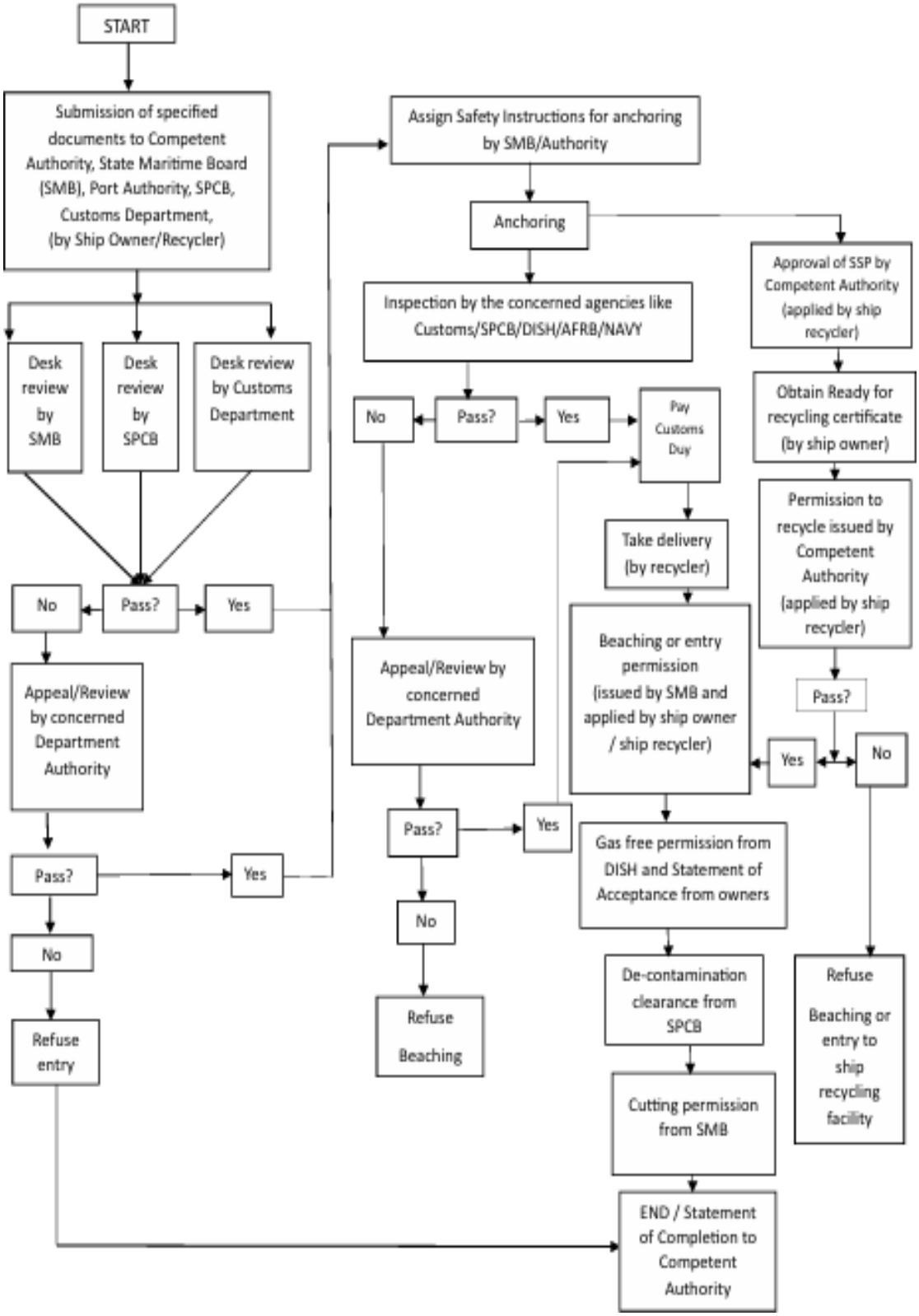
(12) All Ship breaking yards shall be subject to regular security audits by the local state police, Intelligence Bureau, Coast Guard Authorities, Naval Authorities and/or any other security agency of the Government of India based on the decision of the Competent Authority.

**12. Flow diagram for the permission process of a ship for recycling. —**

The following flow diagram illustrated the sequence of steps / process for grant of clearances by the Competent Authority / State Maritime Board / State Pollution Control Board / Custom department and other concerned agencies for ships destined for recycling in India.

The flow diagram covering all the three stages, namely, anchorage, permission to enter facility and cutting permission are given in the following flow chart.

**FLOW CHART**


START
Submission of specified documents to Competent Authority, State Maritime Board (SMB), Port Authority, SPCB, Customs Department, (by Ship Owner/Recycler)
Desk review by SMB
Desk review by SPCB
Desk review by Customs Department
No
Pass?
Yes
Appeal/Review by concerned Department Authority
Pass?
Yes
No
Refuse entry
Assign Safety Instructions for anchoring by SMB/Authority
Anchoring
Inspection by the concerned agencies like Customs/SPCB/DISH/AFRB/NAVY
No
Pass?
Yes
Pay Customs Duy
Appeal/Review by concerned Department Authority
Pass?
Yes
No
Refuse Beaching
Take delivery (by recycler)
Beaching or entry permission (issued by SMB and applied by ship owner / ship recycler)
Gas free permission from DISH and Statement of Acceptance from owners
De-contamination clearance from SPCB
Cutting permission from SMB
END / Statement of Completion to Competent Authority
Approval of SSP by Competent Authority (applied by ship recycler)
Obtain Ready for recycling certificate (by ship owner)
Permission to recycle issued by Competent Authority (applied by ship recycler)
Pass?
Yes
No
Refuse Beaching or entry to ship recycling facility

## SIXTH SCHEDULE

**(*See* regulation 9)**

**Fees payable for issuance of an International ready for recycling certificate and Indian ready for recycling certificate and related Survey of Ships**

| **S.No.** | **Category of certificate** | **Fees** |
|---|---|---|
| 1. | Issuance of International ready for recycling certificate or Indian ready for recycling certificate | Rs.5,000 |
| **S. No.** | **Category of Ship and Survey** | **Fees** |
| 1. | Gross Tonnage of Ship upto 1000 tons Survey | Rs.10,000 |
| 2. | Gross Tonnage of Ship 1000 to 19,999 tons Survey | Rs.15,000 |
| 3. | Gross Tonnage of Ship 20000 to 29,999 tons Survey | Rs.20,000 |
| 4. | Gross Tonnage of Ship 30000 to 49,999 tons Survey | Rs.25,000 |
| 5. | Gross Tonnage of Ship 50000 to 99,999 tons Survey | Rs.30,000 |
| 6. | Gross Tonnage of Ship – Above 1,00,000 tons Survey | Rs.40,000 |
| **Note: Fees for each activity will be doubled when a certificate needs to be issued to a foreign flag ship or to non-party ship.** | | |

**FORM 1**
**FORM OF THE INTERNATIONAL READY FOR RECYCLING CERTIFICATE**
**INTERNATIONAL READY FOR RECYCLING CERTIFICATE**

(Note: This certificate shall be supplemented by the Inventory of Hazardous Materials and the Ship Recycling Plan)

*(Official seal) (State)*

Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") under the authority of the Government of India by

.....

(*Full designation of the person or organization authorized under the provisions of the Convention*)

Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") under the authority of the Government of India by

.....

(*Full designation of the person or organization authorized under the provisions of the Convention*)

**Particulars of the Ship**

| | |
|---|---|
| Name of Ship | |
| Distinctive number or letters | |
| Port of Registry | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Name and address of shipowner | |
| International Maritime Organization/IMO registered owner identification number | |
| International Maritime Organization/IMO company identification number | |
| Date of Construction | |

**Particulars of the Ship Recycling Facility(ies)**

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity number* | |
| Full address | |
| Date of expiry of Certificate of Authorization or the Document of Authorization for Ship Recycling/DASR | |

*This number is based on the Certificate of Authorization or Document of Authorization for Ship Recycling/DASR.

**Particulars of the Inventory of Hazardous Materials**

Inventory of Hazardous Materials identification/verification number:
.....

Note: The Inventory of Hazardous Materials, as required by regulation 5 of the Annex to the Convention, is an essential part of the International Ready for Recycling Certificate and shall always accompany the International Ready for Recycling Certificate. The Inventory of Hazardous Materials should be compiled on the basis of the standard format shown in the guidelines developed by the Organization.

**Particulars of the Ship Recycling Plan**

Ship Recycling Plan identification/verification number:
.....

Note: The Ship Recycling Plan, as required by regulation 9 of the Annex to the Convention, is an essential part of the International Ready for Recycling Certificate and shall always accompany the International Ready for Recycling Certificate.

**THIS IS TO CERTIFY:**

1. that the ship has been surveyed in accordance with regulation 10 of the Annex to the Convention;
2. that the ship has a valid Inventory of Hazardous Materials in accordance with regulation 5 of the Annex to the Convention;
3. that the Ship Recycling Plan, as required by regulation 9 of the Annex to the Convention, properly reflects the information contained in the Inventory of Hazardous Materials as required by regulation 5.4 of the Annex to the Convention and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
4. that the Ship Recycling Facility(ies) where this ship is to be recycled holds a valid authorization in accordance with the Convention.

This certificate is valid until (dd/mm/yyyy).....
*(Date)*

Issued at.....
(*Place of issue of certificate*)

(dd/mm/yyyy).....
.....
(*Date of issue*) (*Signature of duly authorized official issuing the certificate*)

(*Seal or stamp of the authority, as appropriate*)

ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF THE SHIP RECYCLING FACILITY FOR A PERIOD OF GRACE WHERE REGULATION 14.5 APPLIES*

This certificate shall, in accordance with regulation 14.5 of the Annex to the Convention, be accepted as valid for a single point to point voyage

from the port of:.....

to the port of:.....

Signed: .....
*(Signature of duly authorized official)*

Place:.....

Date: (dd/mm/yyyy).....

*(Seal or stamp of the authority, as appropriate)*

## FORM 2
## FORM OF INDIAN READY FOR RECYCLING CERTIFICATE

(Note: This certificate shall be supplemented by the valid and verified Inventory of Hazardous Materials and the approved Ship Recycling Plan)

*(Official seal) (Authority)*

Issued under the provisions of the Recycling of Ships Act, 2019 (hereinafter referred to as "the Act") under the authority of the Government of India by

.....

(*Full designation of the recognized organization authorized under the provisions of the Act*)

**Particulars of the Ship**

| | |
|---|---|
| Name of Ship | |
| Distinctive number or letters | |
| Port of Registry | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Name and address of shipowner | |
| International Maritime Organization/IMO registered owner Identification number | |
| International Maritime Organization/ IMO company identification number | |
| Date of Construction | |
| Name of Shipyard/Hull No. | |

**Particulars of the Ship Recycling Facility**

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity number* | |
| Full address | |
| Date of expiry of Certificate of Authorization of Ship Recycling Facility | |

*

This number is based on the Certificate of Authorisation/Document of Authorization of Ship Recycling Facility

**Particulars of the accompanying Inventory of Hazardous Materials to this certificate**

The Inventory of Hazardous Materials identification/verification number:
.....

**Particulars of the approved Ship Recycling Plan**

Ship Recycling Plan identification/verification number:
.....

THIS IS TO CERTIFY:

1. that the accompanied inventory of hazardous materials belongs to the particulars of the ship stated in this certificate;
2. that the ship has been surveyed in accordance with applicable rules under this act; and
3. that the ship has a valid Inventory of Hazardous Materials in accordance with section 8 of the Act;
4. that the Ship Recycling Plan, properly reflects the information contained in the Inventory of Hazardous Materials as required by rule 8 of the Recycling of Ships Rules,2021 as amended and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for- hot work conditions; and
5. that the Ship Recycling Facility where this ship is to be recycled holds a valid certificate of authorization in accordance with the Act.

This certificate is valid until (dd/mm/yyyy)
.....

*(Date)*

Issued

at.....
(*Place of issue of certificate*)
(dd/mm/yyyy).....
.....
(*Date of issue*) (*Signature of duly authorized official issuing the certificate*)

(*Seal or stamp of the authority, as appropriate*)

ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF THE SHIP RECYCLING FACILITY FOR A PERIOD OF GRACE WHERE RULE XX APPLIES

This certificate shall, in accordance with rule 8 of the Recycling of Ships Rules,2021, be accepted as valid for a single point to point voyage

from the port of:.....

to the port of:.....

Signed:

.....

*(Signature of duly authorized official)*

Place:.....

.....

Date: (dd/mm/yyyy).....

*(Seal or stamp of the authority, as appropriate)*

This page of the endorsement shall be reproduced and added to the certificate as considered necessary by the Administration.

**FORM 3**

**FORM OF THE CERTIFICATE OF AUTHORISATION OF SHIP RECYCLING FACILITIES**

**CERTIFICATE OF AUTHORIZATION OR DOCUMENT OF AUTHORIZATION FOR SHIP RECYCLING/DASR IN ACCORDANCE WITH THE REQUIREMENTS OF THE HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS, 2009**

Issued under the provision of the Hong Kong International Convention for the Safe Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") under the authority of the Government of India by.....
.....
.....

*(Full designation of the Competent Authority under the Act)*

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity No. | |
| Full address of Ship Recycling Facility | |
| Primary contact person | |
| Phone number | |
| E-mail address | |
| Name, address, and contact information of ownership company | |
| Working language(s) | |

This is to verify that the Ship Recycling Facility has implemented management systems, procedures and techniques in accordance with Chapter 3 and 4 to the Annex to the Convention.

This authorization is valid until .....and is subject to the limitations identified in the attached supplement.

This authorization is subject to amendment, suspension, withdrawal, or periodic renewal in accordance with regulation 16 of the Annex to the Convention.

Issued at.....
(*Place of issue of the authorization*)

(dd/mm/yyyy).....

.....

(*Date of issue*) (*Signature of duly authorized official issuing the authorization*)

.....

*(Typed name and title of duly authorized official issuing the authorization)*

(*Seal or stamp of the authority, as appropriate*)

**SUPPLEMENT TO**

**CERTIFICATE OF AUTHORIZATION/DOCUMENT OF AUTHORIZATION OF SHIP RECYCLING FACILITY/IN ACCORDANCE WITH THE HONG KONG INTERNATIONAL CONVENTION FOR THE SAFE AND ENVIRONMENTALLY SOUND RECYCLING OF SHIPS, 2009 AND THE RECYCLING OF SHIPS ACT, 2019**

**Notes:**

1. This record shall be permanently attached to the Certificate of Authorization or Document of Authorization for Ship Recycling/DASR. The Certificate of Authorization/ Document of Authorization for Ship Recycling/DASR shall always be available at the ship recycling facility.

2. All procedures, plans and other documents produced by the Ship Recycling Facility and required under the terms to which the Certificate of Authorization or Document of Authorization for Ship Recycling/DASR has been issued shall be available in the working language of the Ship Recycling Facility and in English.

3. The authorization is subject to the limitations defined by this supplement.

## 1. GENERAL TERMS

### 1.1 Requirements of the Act including equivalent requirements of the Hong Kong Convention on Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "Convention").

The Ship Recycling Facility meets the requirements that it be designed, constructed, and operated in a safe and environmentally sound manner in accordance with the Act/Convention, including meeting the relevant requirements of:

Regulation 16 – Authorization of Ship Recycling Facilities
Regulation 17 – General requirements
Regulation 18 – Ship Recycling Facility Plan
Regulation 19 – Prevention of adverse effects to human health and the environment
Regulation 20 – Safe and environmentally sound management of Hazardous Materials
Regulation 21 – Emergency preparedness and response
Regulation 22 – Worker safety and training
Regulation 23 – Reporting on incidents, accidents, occupational diseases and chronic effects
Regulation 24 – Initial notification and reporting requirements
Regulation 25 – Reporting upon completion

These requirements are imposed on the Ship Recycling Facility by way of the Recycling of Ships Act,2019, the rules and regulations made thereunder.

Ship Recycling Facility Plan identification/verification number:
.....

**1.2 Acceptance of ships**

For ships to which the Convention applies and ships treated similarly pursuant to Article 3.4 of the Convention, the Ship Recycling Facility can only accept a ship for recycling in accordance with regulation 17 of the Annex to the Convention.

**1.3 Safe-for-hot work and Safe-for-entry conditions**

The Ship Recycling Facility is capable of establishing, maintaining and monitoring Safe-for-hot work and Safe-for-entry conditions throughout the Ship Recycling process.

**1.4 Management of Hazardous Materials**

The Ship Recycling Facility is designed, constructed, operated, and required to ensure that all Hazardous Materials' management shall be safe and environmentally sound in compliance with the Act/Convention and with all relevant local or national regulations/requirements.

**1.5 Map and location of Ship Recycling operations**

A map of the boundary of the Ship Recycling Facility and the location of Ship Recycling operations within it, is attached.

## 2. CAPABILITY OF SHIP RECYCLING FACILITY

**2.1 Size of ships**

The Ship Recycling Facility is authorized to accept a ship for recycling subject to the following size limitations:

| **Maximum Size** | | **Other Limitations** |
|---|---|---|
| Length | | |
| Breadth | | |
| Lightweight | | |

**2.2 Safe and Environmentally Sound Management of Hazardous Materials**

The Ship Recycling Facility is authorized to accept a ship for recycling that contains Hazardous Materials as specified in the following table subject to the conditions noted below:

| Hazardous Material[1] | Management of Hazardous Materials | | | Authorization/ Limitations |
|---|---|---|---|---|
| | Removal (Y/N)[2] | Storage (Y/N) | Process[3] (Y/N)[4] | |
| Asbestos | | | | |
| Ozone-depleting substances | | | | |
| Polychlorinated biphenyls (PCB) | | | | |
| Anti-fouling compounds and systems | | | | |
| Cadmium and Cadmium Compounds | | | | |
| Hexavalent Chromium and Hexavalent Chromium Compounds | | | | |
| Lead and Lead Compounds | | | | |
| Mercury and Mercury Compounds | | | | |
| Polybrominated Biphenyl (PBBs) | | | | |
| Polybrominated Diphenyl Ethers (PBDEs) | | | | |
| Polychlorinated Naphthalene's (more than 3 chlorine atoms) | | | | |
| Radioactive substances | | | | |
| Certain Short chain Chlorinated Paraffins (Alkanes, C10-C13, chloro) | | | | |
| Hazardous liquids, residues and sediments | | | | |
| Paints and coatings that are highly flammable and/or lead to toxic release | | | | |
| Other Hazardous Materials not listed above and that are not a part of the ship structure (specify) | | | | |

[1] If No (N), describe in the Ship Recycling Plan where the hazardous materials are to be processed / disposed.
[2] If Yes (Y), indicate in the Ship Recycling Facility Plan the responsible personnel authorized to carry out the removal, with the certificate number or other relevant information.
[3] Process means the processing of Hazardous Materials in the Ship Recycling Facility, such as:
a) Incineration of hazardous materials
b) Reclamation of hazardous materials
c) Treatment of Oily residues
[4] If No (N), describe in the Ship Recycling Plan where the Hazardous Materials are to be processed/disposed.

## FORM 4

## INITIAL REPORTING TO PORT AUTHORITY BY THE SHIP OWNER FOR SENDING SHIP TO SHIP RECYCLING FACILITY FOR RECYCLING

To

The Port Authority/State Maritime Board

.....

.....

**Sub: Intent of Recycling of Ship.**

The ship having particulars as listed in table 1 below has been identified for recycling in a ship recycling facility described in table 2 below in accordance with the requirements of convention and/or Recycling of Ships Act,2019 as amended.

**Particulars of the Ship**

| | |
|---|---|
| Distinctive number or letters | |
| Port of Registry & Flag | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Name and address of ship owner | |
| International Maritime Organization/IMO registered owner identification number | |
| International Maritime Organization/IMO company identification number | |

**Particulars of the Ship Recycling Facility**

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity number* | |
| Full address | |
| Date of expiry of Certificate of Authorization of Ship Recycling Facility | |

THIS IS TO CONFIRM:

1. that the ship will comply with the requirements of convention and/or recycling of ships act in totality and in possession of valid ready for recycling certificate;
2. that the ship has a valid Inventory of Hazardous Materials in accordance with section 8 of the Act;
3. that the Ship Recycling Plan as required by section 17 of the Act, properly reflects the information contained in the Inventory of Hazardous Materials and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
4. that the Ship Recycling Facility holds a valid certificate of authorization in accordance with the Act.

**FORM 5**
**(PERMISSION FOR SHIP RECYCLER TO START SHIP RECYCLING ACTIVITY)**

To
Competent Authority
---
---

The
.....
...
*(Name of Ship Recycling Facility)*

located at
.....
*(Full Ship Recycling Facility address)*

Authorized in accordance with the requirements of the Recycling of Ships Act, 20 19 for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") to conduct Ship Recycling under the authority of the Government of India as indicated in the Document of Authorization to conduct Ship Recycling issued at

.....
.....
*(Place of authorization)*

by.....
.....
*(Full designation of the Competent Authority under the Convention)*

on (dd/mm/yyyy).....
*(Date of issue)*

Hereby reports that the Ship Recycling Facility is ready in every respect to start the recycling of the vessel .....
(*International Maritime Organization/IMO number)*

The Ready for Recycling Certificate issued under the authority of Government of India or an International Ready for Recycling Certificate issued under the provisions of the Convention under the authority of the Government of

.....
.....
*(Full designation of country)*

by

.....
...
*(Full designation of the person or organization authorized under the provisions of the Act or Convention)*
on (dd/mm/yyyy) ..... *(Date of issue)*
is enclosed.

Signed

.....

*Note: A copy of* the *Certificate of Authorization or Document of Authorization for Ship Recycling/DASR and Ready for recycling certificate to be attached with this form for information.*

**FORM 6**
**FORMAT FOR INFORMATION ON RADIOACTIVE MATERIAL CONTAINED IN THE SHIP**
**(TO BE PROVIDED BY THE SHIP RECYCLER BEFORE ANCHORING)**

Name of the Ship:
International Maritime Organization/IMO Identification No:
Flag of the country:
Call Sign:
Name of the Master of the ship and his nationality:
Details of radioactive material contained in the ship while the ship was in service:

| Sr. No. | Name of radionuclide | No. of sources* | Total activity (Curies) | Location of the sources in the ship | Purpose of the sources |
|---|---|---|---|---|---|
| | | | | | |

Details of radioactive material present in the ship at the time of anchoring:

| Sr. No. | Name of radionuclide | No. of sources* | Total activity (Curies) | Location of the sources in the ship | Purpose of the sources |
|---|---|---|---|---|---|
| | | | | | |

Detail of radioactive devices

| Sr .No. | Device | Make | Model | S.No. of device | Name of Manu facturer | Name of radio- nuclide | Activity (curies) | Purpose and location of the device |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |

*ln case of sources contained in devices, details of the type of device, its make and model number is to be given,

Undertaking

I hereby certify that:-
All the statements made above are correct to the best of my knowledge and belief.

Name and signature of the Master of the Ship/ Representative of the Recycler:
Designation

**FORM 7**

**FORM OF ANCHORING OR ENTRY OR BEACHING PERMISSION**

To

The Port Authority/State Maritime Board

.....

.....

Sub: Request for Anchoring or entry or beaching Permission

The ship having particulars as listed in table 1 below has been identified for recycling in a ship recycling facility described in table 2 below in accordance with the requirements of convention and/or Recycling of ships act,2019 as amended.

Particulars of the Ship as received for recycling

| | |
|---|---|
| Distinctive number or letters | |
| Port of Registry & Flag | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Name and address of ship owner | |
| International Maritime Organization/IMO registered owner identification number | |
| International Maritime Organization/IMO company identification number | |

Particulars of the Ship Recycling Facility

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity number* | |
| Full address | |
| Date of expiry of Certificate of Authorization of Ship Recycling Facility | |

We hereby seek your permission for anchoring the ship within port limits and allot us suitable location.

Date: (dd/mm/yyyy) Place:

.....

*(Name and signature of the Ship Owner)*

*Position*

*Contact Details:*

*Seal/Stamp*

**FORM 8**

**FORM OF THE STATEMENT OF ACCEPTANCE**

STATEMENT OF ACCEPTANCE

This document is a statement of acceptance by Ship recycler for the purpose of de-registering the ship

…….....
.....

(*Name of the ship when it was received for recycling/at the point of deregistration*)

**Particulars of the Ship as received for recycling**

| | |
|---|---|
| Name of the ship | |
| Distinctive number or letters | |
| Port of Registry and Flag | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Type of Ship | |
| LDT | |
| Date of Construction | |
| Name and address of ship owner | |
| International Maritime Organization/IMO registered owner identification number | |
| International Maritime Organization/IMO company identification number | |

THIS CONFIRMS THAT:

The ship has been taken for recycling at the ship recycling facility with all the necessary permissions required for recycling as per the provisions of Recycling of Ships Act, 2019 (hereinafter called as Act) and rules thereafter.

**Particulars of the Ship Recycling Facility**

| | |
|---|---|
| Name of Ship Recycling Facility | |
| Distinctive Recycling Company identity number* | |
| Full address | |
| Date of expiry of Certificate of Authorization of Ship Recycling Facility | |

THIS IS TO CERTIFY:

1. that the accompanied inventory of hazardous materials belongs to the particulars of the ships described above;
2. that the ship has a valid Inventory of Hazardous Materials in accordance with section 8 of the Act;
3. that the Ship Recycling Plan as required by section 17 of the Act, properly reflects the information contained in the Inventory of Hazardous Materials and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
4. that the Ship Recycling Facility holds a valid certificate of authorization in accordance with the Act.
5. that the statement of acceptance is only for the purpose of de-registering the ship and any maritime liens instituted against the ship will be continued on the ship and the ship owner is liable to pay as per relevant National / International instruments.

Date : (dd/mm/yyyy) Place:

*(Name and signature of the Ship Owner / authorised representative)*
*Position*
*Contact Details:*
*Seal/Stamp*

*(Name and signature of the Ship Recycling facility owner/authorized representative)*
*Position*
*Contact Details:*
*Seal/Stamp*

## FORM 9

## FORM OF THE STATEMENT OF COMPLETION OF SHIP RECYCLING

## STATEMENT OF COMPLETION OF SHIP RECYCLING

This document is a statement of completion of Ship Recycling for

.....

(*Name of the ship when it was received for recycling/at the point of deregistration*)

**Particulars of the Ship as received for recycling**

| | |
|---|---|
| Distinctive number or letters | |
| Port of Registry | |
| Gross tonnage | |
| International Maritime Organization/IMO number | |
| Name and address of shipowner | |
| International Maritime Organization/IMO registered owner identification number | |
| International Maritime Organization/IMO company identification number | |
| Date of Construction | |
| Name of shipyard/Hull No. | |

THIS CONFIRMS THAT:

The ship has been recycled in accordance with the Ship Recycling Plan as part of the Recycling of Ships Act, 2019 or the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (hereinafter referred to as "the Convention") at

.....

*(Name and location of the authorized Ship Recycling Facility)*

and the recycling of the ship as required by the Convention was completed on:

(dd/mm/yyyy).....

*(Date of completion)*

Issued at.....

(*Place of issue of the Statement of Completion*)

(dd/mm/yyyy)..... .....

(*Date of issue*) (*Signature of the owner of the Ship Recycling Facility or a representative acting on behalf of the owner*

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SARVESH KUMAR SRIVASTAVA Digitally signed by SARVESH KUMAR SRIVASTAVA Date: 2024.01.14 23:37:09 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಅಫೀಫಾ ಉಸ್ಮಾನಿ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-10**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 04 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026.

ದಿನಾಂಕ: 01.02.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Baggage Rules, 2026ನ GSR 90(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF FINANCE**

**(Department Of Revenue)**

(CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS)

**NOTIFICATION**

New Delhi, the 1st February, 2026

**No. 14/2026-Customs (N.T.)**

**G.S.R. 90(E).—** In exercise of the powers conferred by section 79 of the Customs Act, 1962 (52 of 1962), and in supersession of the Baggage Rules, 2016, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

**1. Short title and commencement.** - (1) These rules may be called the Baggage Rules, 2026.

(2) They shall come into force on the 2nd of February, 2026.

**2. Definitions. -** (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Customs Act, 1962 (52 of 1962);

(b) "Annexure" means the Annexures appended to these rules;

(c) "Appendix" means the Appendix appended to these rules;

(d) "foreigner with a valid visa, other than tourist visa" means a foreigner possessing a valid visa, other than a tourist visa and staying in India for more than six months;

(e) "infant" means a child not more than two years of age;

(f) "jewellery" means articles of adornment ordinarily worn by a person, made of gold, silver, platinum or such other precious metals, whether studded or not;

(g) "personal effects" means all articles (new or used) which a passenger may reasonably require for his personal use during the journey, taking into account all the circumstances of the journey, but excluding any goods imported or exported for commercial purposes;

(h) "resident" means a person ordinarily residing in India and holding a valid passport issued under the Passports Act, 1967 (15 of 1967);

(i) "tourist" means a person not ordinarily resident in India and who enters India for a stay of not more than six months in the course of any twelve months period for legitimate non-immigrant purposes.

(2) Words and expressions used and not defined in these rules but defined in the Customs Act, 1962 (52 of 1962) and the Customs Tariff Act, 1975 (51 of 1975) shall have the same meanings respectively as assigned to them in the said Acts.

**3. Duty free imports of personal effects-** A passenger, including an infant arriving in India, shall be allowed clearance of used personal effects required for satisfying daily necessities of life and travel souvenirs, carried on the person or in his *bona fide* baggage, free of duty, other than those articles mentioned in Annexure-I.

**4. Provisions for re-import and temporary import. -** (1) Any article of personal effects other than used personal effects required for satisfying daily necessities of life, taken out earlier by the resident or tourist of Indian origin or foreigner with a valid visa, other than tourist visa, or member of his family, from India shall be allowed free of duty, on submission of declaration made at the time of his departure from India electronically or otherwise, subject to the satisfaction of the same by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be.

(2) Any article of personal effects other than used personal effects required for satisfying daily necessities of life, carried by a tourist, required for his stay in India, may be allowed to be imported temporarily free of duty, on submission of a declaration made electronically or otherwise, and subject to their re-export at the time of leaving India for a foreign destination.

(3) The passengers availing the facility under this rule, may be subject to risk based verification.

**5. General free allowance. -** A resident or a tourist of Indian origin or foreigner with a valid visa, other than tourist visa, not being an infant, arriving in India other than by land, shall be allowed clearance free of duty articles other than those mentioned in Annexure-I, up to the value of seventy-five thousand rupees, if such articles are carried on the person or in the *bona fide* accompanied baggage of the passenger:

Provided that a tourist of foreign origin, not being an infant, arriving in India other than by land, shall be allowed clearance free of duty articles other than those mentioned in Annexure-I, up to the value of twenty-five thousand rupees, if these are carried on the person or in the *bona fide* accompanied baggage of the passenger:

Provided further that where the passenger arriving in India by land, only used personal effects required for satisfying daily necessities of life, shall be allowed duty free:

Provided also that a passenger of the eighteen years of age or above, other than a crew member, shall be allowed clearance of one new laptop including notepad free of duty in *bona fide* baggage.

***Explanation.*** – For the purposes of this rule, the free allowance of a passenger shall not be allowed to pool with the free allowance of any other passenger.

**6. Special allowance for jewellery. –** A resident or tourist of Indian origin residing abroad for more than one year, on return to India shall be allowed duty free clearance of jewellery upto a weight of forty grams, if brought by a female passenger or twenty grams if brought by a passenger other than a female passenger in *bona fide* baggage.

**7. Transfer of residence.** - (1) A resident or tourist of Indian origin, engaged in a profession abroad or transfers his residence to India, on return, shall be allowed clearance free of duty, in addition to what he is allowed under rule 3 or, as the case may be, under rule 5, articles in *bona fide* baggage to the extent mentioned in column (2), subject to the conditions, if any, mentioned in the corresponding entry in column (3) and relaxed to such extent by the authority mentioned in column (4), of Appendix-I.

(2) A foreigner with a valid visa, other than tourist visa, engaged in any profession in India or transferring his residence to India, on arrival, shall be allowed clearance free of duty, in addition to what he is allowed under rule 3 or, as the case may be, under rule 5, articles in *bona fide* baggage to the extent mentioned in column (2), subject to the conditions, if any, mentioned in the corresponding entry in column (3) and relaxed to such extent by the authority mentioned in column (4), of Appendix- II.

(3) The personal and household articles specified in Annexure-II may be brought on transfer of residence upto the value mentioned in Appendix-I and II.

(4) Where there is a shortfall in the prescribed duration of stay in India, the passenger shall, without delay, inform the Principal Commissioner of Customs or the Commissioner of Customs, as the case may be, having jurisdiction over the customs station where the duty free clearance was allowed and shall pay the applicable duty, if any, alongwith interest.

**8. Currency.** - The import and export of currency under these rules shall be governed in accordance with the provisions of the Foreign Exchange Management (Export and Import of Currency) Regulations, 2015, and the notifications issued thereunder.

**9. Pets.** – The import of pets by a passenger shall be regulated by the rules notified by any Ministry or Department or any authority of the Central Government.

**10. Provisions regarding unaccompanied baggage.** - (1) These rules shall apply to all unaccompanied baggage unless otherwise excluded under these rules:

Provided that the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, may allow the unaccompanied baggage if it is in the possession of the passenger abroad and dispatched within one month of his arrival in India or within such period:

Provided further that the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, may allow unaccompanied baggage to land in India upto two months before the arrival of the passenger or within such period, not exceeding one year, for reasons to be recorded in writing, if he is satisfied that the passenger was prevented from arriving in India within the period of two months due to circumstances beyond his control, such as sudden illness of the passenger or a member of his family, or natural calamities or disturbed conditions or disruption of the transport or travel arrangements in the country or countries concerned or any other reasons, which necessitated a change in the travel schedule of the passenger.

**11. Application of these rules to crew members.** - (1) These rules shall also apply to the crew members engaged in a foreign going conveyance for importation of their baggage at the time of final pay off on termination of their engagement.

(2) Notwithstanding anything contained in sub-rule (1), a crew member of a vessel or an aircraft other than those referred to in sub-rule (1), shall be allowed to bring articles like chocolates, cheese, cosmetics and other gift articles for their personal or family use which shall not exceed the value of two thousand and five hundred rupees.

**ANNEXURE-I**

(See rules 3, 5 and 7)

1. Fire arms.
2. Cartridges of fire arms exceeding 50.
3. Cigarettes exceeding 100 sticks or cigars exceeding 25 or tobacco exceeding 125gms.
4. Alcoholic liquor or wines in excess of two litres.
5. Gold or silver in any form other than ornaments.
6. Television.

**ANNEXURE-II**

(See rule 7)

1. Home Theatre System.
2. Air-Conditioner.
3. Microwave Oven.
4. Washing Machine.
5. Gas Cooking Range.
6. Personal Computer (Desktop Computer).
7. Laptop or Notepad.
8. Domestic Refrigerator.
9. Television.
10. Dish Washer.
11. Deep Freezer.
12. Video camera or the combination of any such Video camera with one or more of the following goods, namely: -

    (a) television receiver;

    (b) sound recording or reproducing apparatus;

    (c) video reproducing apparatus.
13. Vacuum Cleaner.
14. Air Fryer.
15. Dryer machine.
16. Air cooler.
17. Play station or any other gaming console.
18. Water Dispenser.
19. Oil heater.
20. Electric Oven.
21. Musical Instrument (Piano or Guitar, etc.).
22. Tablet (e.g. iPad).
23. Small Bluetooth Speakers.
24. Air Purifier.
25 Dehumidifier.
26. Multifunction Printer.
27. Robotic Vacuum Cleaner.
28. Massage Chair.
29. Projector.
30. Amplifier.

**APPENDIX- I**

(See rule 7)

(Allowances available to resident and tourist of Indian origin)

| **Duration of stay abroad** | **Articles allowed free of duty** | **Conditions** | **Relaxation** |
|---|---|---|---|
| **(1)** | **(2)** | **(3)** | **(4)** |
| From three months upto twelve months. | Personal and household articles, other than those mentioned in Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of one lakh fifty thousand rupees. | - | - |
| Minimum stay of one year during the preceding two years. | Personal and household articles, other than those mentioned in Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of three lakh rupees. | The passenger should not have availed this concession in the preceding three years. | - |
| Minimum stay of two years or more. | Personal and household articles, other than those listed at Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of seven lakh fifty thousand rupees. | (i) Minimum stay of two years abroad, immediately preceding the date of his or her arrival on transfer of residence;<br><br>(ii) Total stay in India on short visit during the two preceding years should not exceed six months; and | (a) For condition (i), shortfall of upto two months in stay abroad can be condoned by Deputy Commissioner of Customs or Assistant Commissioner of Customs, if the early return is on account of:-<br>(i) terminal leave or vacation being availed of by the passenger; or<br>(ii) any other special circumstances for reasons to be recorded in writing.<br><br>(b) For condition (ii), the Principal Commissioner of Customs or Commissioner of Customs may condone short visits in excess of six months in special circumstances for reasons to be recorded in writing. |

| Duration of stay abroad | Articles allowed free of duty | Conditions | Relaxation |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| | | (iii) The passenger has not availed this concession in the preceding three years | (c) For condition (iii), No relaxation. |

**APPENDIX- II**

(See rule 7)

*(*Allowances available to foreigner with valid visa other than tourist visa)

| Duration of stay | Articles allowed free of duty | Conditions | Relaxation |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| From six months up to twelve months in India. | Personal and household articles, other than those mentioned in Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of one lakh fifty thousand rupees. | (i) Minimum stay of six months in India;<br><br>(ii) The passenger, should not have availed this concession in the preceding one year. | For condition (i), shortfall of upto three months in stay in India can be condoned by Principal Commissioner of Customs or Commissioner of Customs, if the early departure is on account of: -<br>(i) terminal leave being availed of by the passenger; or<br>(ii) any other special circumstances for reasons to be recorded in writing.<br><br>(b) No relaxation for condition (ii) |

| Duration of stay | Articles allowed free of duty | Conditions | Relaxation |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| Minimum stay of one year during the succeeding two years from the date of arrival in India. | Personal and household articles, other than those mentioned in Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of three lakh rupees. | (i) Minimum stay of one year during the succeeding two years from the date of arrival in India.;<br><br>(ii) The passenger, should not have availed this concession in the preceding three year. | For condition (i), shortfall of upto three months in stay in India can be condoned by Principal Commissioner of Customs or Commissioner of Customs if the early departure is on account of:-<br>(i) terminal leave being availed of by the passenger; or<br>(ii) any other special circumstances for reasons to be recorded in writing.<br><br>(b) No relaxation for condition (ii) |
| Minimum stay of two years or more in India. | Personal and household articles, other than those listed at Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of seven lakh fifty thousand rupees. | (i) Minimum stay of two years in India, immediately during the succeeding the date of his or her arrival on transfer of residence;<br><br>(ii) The passenger has not availed this concession in the | (a) For condition (i), shortfall of upto two months for stay in India can be condoned by Deputy Commissioner of Customs or Assistant Commissioner of Customs, if the early return is on account of:-<br>(i) terminal of professional contract<br>(ii) any other special circumstances for reasons to be recorded in writing.<br>(b) For condition (i), the Principal Commissioner of Customs or Commissioner of Customs may condone short visits upto six months in special circumstances for reasons to be recorded in writing. |

| Duration of stay | Articles allowed free of duty | Conditions | Relaxation |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| | | preceding three years. | (c) No relaxation for condition (ii) |
| returning after stay abroad of two years or more. | Personal and household articles, other than those listed at Annexure-I but including articles mentioned in Annexure-II not more than one unit each, upto an aggregate value of seven lakh fifty thousand rupees. | (i) Minimum stay of two years abroad, immediately preceding the date of his or her arrival on transfer of residence;<br><br>(ii) Total stay in India on short visit during the two preceding years should not exceed six months; and<br><br>(iii) The passenger has not availed this concession in the preceding three years. | (a) For condition (i), shortfall of upto two months in stay abroad can be condoned by Deputy Commissioner of Customs or Assistant Commissioner of Customs if the early return is on account of:-<br>(i) terminal leave or vacation being availed of by the passenger; or<br>(ii) any other special circumstances for reasons to be recorded in writing.<br><br>(b) For condition (ii), the Principal Commissioner of Customs or Commissioner of Customs may condone short visits in excess of six months in special circumstances for reasons to be recorded in writing.<br><br>(c) For condition (iii), No relaxation. |

[F. No. 450/174/2024–Cus. IV]

ANURIMA SHARMA, Director (Customs)

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಅಫೀಫಾ ಉಸ್ಮಾನಿ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-11**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 05 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026.

ದಿನಾಂಕ: 03.02.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026ನ GSR 102(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF MINES**

**NOTIFICATION**

New Delhi, the 3rd February, 2026

**G.S.R. 102(E).—** In exercise of the powers conferred by sub-section (1) and clause (pa) of sub-section (2) of section 35 of the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003), the Central Government hereby makes the following rules, namely:—

## CHAPTER 1

## PRELIMINARY

**1. Short title and commencement.**—(1) These rules may be called the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

**2. Application.**—(1) These rules shall apply to all minerals in the offshore areas, except mineral oils and hydrocarbons as specified in sub-section (1) of section 3;

(2) Nothing contained in these rules shall apply to—

(a) any person or class of persons as the Central Government may, by an order, specify in this behalf:

Provided that the mineral shall be mined, stored or carried by such person or class of persons only for the purpose of scientific test and research work without any commercial motive or purpose;

(b) any department, institution or agency as may be notified by the Central Government under the proviso to sub-section (1) of section 5.

**3. Definitions.**— (1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003);

(b) "authorised officer" shall have the meaning as assigned to it under the Explanation to section 22;

(c) "bank guarantee" means a bank guarantee issued in Form-A by any nationalised bank in India acceptable to the Central Government;

(d) "carrier" means any mode of conveyance or facility by which a mineral is transported from one place to another and includes a vessel and pipeline;

(e) "consignee" means the person to whom any mineral from the licence area or lease area is dispatched to;

(f) "electronic monitoring system" means an electronic system, as specified by the Indian Bureau of Mines, capable of automatically recording, storing, processing, retrieving, communicating or verifying information, data, documents relating to operations in offshore areas, continuously, on a real-time basis, including but not limited to—

(i) tracking of vessels;

(ii) displacement or weight of vessel;

(iii) volume and density of run-of-mine; and

(iv) recording of images and video feed;

(g) "first point of discharge" means the first onshore unloading location in India where the mineral extracted from the offshore areas is brought in by the holder of the operating right or an owner of a carrier or a trader, as the case may be;

(h) "Form" means a form appended to these rules;

(i) "illegal mining" means any reconnaissance operation or exploration operation or production operation undertaken by any person or company in any offshore area without holding an operating right as required under sub-section (1) of section 5 or, outside the boundaries of the offshore area for which the operating right has been granted:

Provided that violation of any rules, other than these rules, within the licence area or lease area, by a licensee or a lessee shall not be construed as illegal mining;

(j) "illegal storage" means the storage of any mineral otherwise than in accordance with the provisions of the Act or the rules made thereunder;

(k) "illegal transportation" means the removal, shifting, transfer or transport of any mineral by any holder of an operating right or trader or carrier otherwise than in accordance with the provisions of the Act or the rules made thereunder;

(l) "mechanised machinery" means and includes each and every machinery or platform, both immovable and movable, used in the winning of a mineral from the licence area or lease area, or beneficiation and its processing, run on electricity or otherwise and whether owned or operated by the holder of an operating right or any other person but excludes a carrier;

(m) "property" means tools, gear, equipment, appliance, carrier, vehicle, installation, stores or cargo or any other thing used by any person to extract, transport or cause to be extracted or transported any mineral from any offshore area;

(n) "section" means a section of the Act;

(o) "trader" means any person who carries on the business of buying, possessing, storing, selling, supplying, transporting, distributing, delivering, exporting or importing for sale or processing of mineral, directly or otherwise for cash or for deferred payment or for commission, remuneration or other valuable consideration, and includes a person who—

(i) uses mineral and its ingredients as a raw material;

(ii) has a mineral sharing agreement with the holder of an operating right;

(iii) has an extraction contract with the holder of an operating right;

(iv) buys and processes mineral for sale; or

(v) holds an operating right;

(p) "transit permit" means the transit permit within the meaning of sub-rule (2) of rule 8.

(2) The words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Act or rules made thereunder.

**4. Powers and functions of Atomic Minerals Directorate for Exploration and Research.**— Throughout these rules, wherever any power, function or responsibility of the Indian Bureau of Mines or its officers is specified or any information is to be submitted to the Indian Bureau of Mines or its officers, the same shall be deemed as power, function or responsibility of the Atomic Minerals Directorate for Exploration and Research or its officers or requirement of submission of information to the said Directorate or its officers for minerals having grade equal to or greater than the threshold value in respect of atomic minerals, in the following manner, namely:—

(a) any reference to the Indian Bureau of Mines, shall be deemed to be reference to the Atomic Minerals Directorate for Exploration and Research;

(b) any reference to the Controller General or the Chief Controller of Mines or the Controller of Mines or the Regional Controller or the authorised officer of the Indian Bureau of Mines, shall be deemed to be reference to the Director or as the case may be, the authorised officer of Atomic Minerals Directorate for Exploration and Research.

**5. Prohibitions.**—No person shall carry on production operations, excavation, storage, sale, transportation, or processing of minerals at any place for the purpose of sale or consumption or otherwise deal with any mineral, except under and in accordance with the Act and the rules made thereunder.

## CHAPGTER II

## MONITORING SYSTEM

**6. Monitoring system.**—(1) The holder of an operating right or an owner of a carrier, as the case may be, shall deploy an electronic monitoring system.

(2) Any person or company who is an owner of a carrier, a mine developer and operator (by whatever name called) in respect of a mine, owner of a mechanised machinery and such other person as may be specified by the Indian Bureau of Mines shall cause himself and such carrier and mechanised machinery to be registered online on the offshore mining regulation web portal.

(3) No mechanised machinery or carrier shall be used unless the owner of such mechanised machinery or carrier is validly registered with the Indian Bureau of Mines in accordance with sub-rule (2).

**7. Clearance to be obtained by a holder of an operating right or trader for export of mineral.**—Every holder of an operating right or trader who is desirous of exporting mineral extracted from offshore areas, directly from such offshore area, shall procure a clearance from the Central Board of Indirect Taxes and Customs, if applicable, at least seven days prior to exporting such mineral.

## CHAPGTER III
## DISPATCH AND TRANSPORATION OF MINERALS

**8. Dispatch of mineral outside the licence area or lease area.**— (1) A holder of an operating right shall, prior to dispatch of any mineral outside the licence area or lease area, provide the following information on the offshore mining regulation web portal, namely:—

(a) quantity and grade of mineral dispatched;

(b) name, address and registration number of the consignee;

(c) particulars of the carrier carrying the mineral;

(d) the first point of discharge, expected route for transportation and the particulars of the route to the first point of discharge and to the destination;

(e) if the holder of the operating right has availed services of any other person for transportation, then particulars of the owner of the carrier along with the details of the carrier including the registration number;

(f) particulars of royalty and other payments made with respect to such mineral;

(g) in case of export of the mineral to an overseas consignee, a copy of the documents submitted with the Central Board of Indirect Taxes and Customs with respect to such export along with a copy of the clearance obtained by the holder of an operating right under rule 7; and

(h) such other particulars as may be specified by the Indian Bureau of Mines.

(2) Upon proper entry of information specified under sub-rule (1), the holder of an operating right shall obtain a digitally signed transit permit for lawful transportation of mineral through a registered carrier, from the licence area or lease area to the first point of discharge, in the format specified in Form-B and such permit shall be available for generation or download, as the case may be, by the holder of an operating right from the offshore mining regulation web portal.

(3) The Indian Bureau of Mines shall furnish a copy of the transit permit to the State Government having jurisdiction over the location where the first point of discharge is situated.

(4) The onshore transit of mineral extracted from the offshore areas, from the first point of discharge shall be undertaken by the holder of an operating right or trader, as the case may be, in accordance with the applicable laws of the State through which the mineral is transported:

Provided that the transit of mineral from the lease area to the first point of discharge shall be in accordance with the transit permit obtained under sub-rule (2).

(5) The Indian Bureau of Mines may, for reasons to be recorded in writing, suspend the transit permit in case,—

(a) any dues or penalties have been levied by the authorised officer on such holder of operating right and such dues are outstanding;

(b) the holder of such operating right uses an unregistered carrier; or

(c) the holder of such operating right contravenes the provisions of the Act or the rules made thereunder.

(6) The Indian Bureau of Mines may revoke the suspension in case the holder of the operating right rectifies the violations specified under sub-rule (5).

(7) The transit permit shall be specific to each carrier carrying the mineral and at all times during transit, a digitally signed or authorised copy of the transit permit shall be retained.

(8) The holder of an operating right shall ensure that it installs such equipment as may be necessary to comply with these rules, including equipment to enter relevant information in the electronic monitoring system, as required in each carrier.

**9. First point of discharge.—**(1) The holder of operating right or the owner of the carrier or trader, as the case may be, shall ensure that adequate weighment system, including each and every electronic system, mechanical system or technological device or implement utilised in measurement or weighment of mineral, at the first point of discharge is installed and maintained in the manner specified by the Indian Bureau of Mines from time to time.

(2) The weight of the mineral measured at the first point of discharge shall be measured against the weight of the mineral at the time of dispatch from the lease area.

(3) Any weighment of mineral shall be converted on a dry basis by application of a conversion factor, as specified by the Indian Bureau of Mines based on scientific study.

(4) The holder of operating right or the owner of the carrier or trader, as the case may be, shall allow officers authorised by the Indian Bureau of Mines to inspect the weighment system installed at the first point of discharge.

**10. Obligations of the consignee.**—The consignee, after receipt of the mineral shall verify the quantity and grade of such mineral received against the details specified in the transit permit and shall keep the receipt in respect of the mineral received and maintain records thereof.

**11. Obligations of the owner and operator of a carrier.**—(1) Every owner and operator of a carrier shall carry in the carrier, the following, namely:—

(a) a duly working device capable of automatic location tracking and reporting, which shall be a part of the electronic monitoring system;

(b) an automated identification system which shall be a part of the electronic surveillance system and shall be capable of transmitting its geographical position without any interruption; and

(c) a valid transit permit.

(2) The carrier shall follow the transportation route as specified under clause (d) of sub-rule (1) of rule 8.

(3) The Indian Bureau of Mines may impose additional conditions with respect to carriage of mineral.

**12. Storage of mineral.**—No person shall store mineral extracted or procured from offshore areas otherwise than in accordance with applicable laws of the State in which the storage facility is located.

**13. Obligation to provide details to Indian Bureau of Mines.**—The Indian Bureau of Mines, may direct—

(a) an owner or operator of a carrier or a trader carrying mineral to provide and disclose information, including information regarding the quantity, quality, end destination, details of the carrier or trader or person on whose behalf mineral has been dispatched and related price information;

(b) a consignee who receives mineral dispatched from the licence area or lease area to provide and disclose information regarding the quantity, quality, location of storage and related price information.

## CHAPGTER IV
## INSPECTION, SEIZURE AND RELEASE

**14. Inspection and verification by authorised officer.**—The authorised officer shall have the power to inspect, verify, check and draw samples of the stocks of mineral of any holder of operating right or trader, at any place including in transit and accounts of mineral and any other documents relating thereto.

**15. Seizure of property.**—(1) Every authorised officer, exercising powers of seizure and detention under sub-section (3) of section 22 shall,—

(a) photograph the carrier, mine or any other property and place on such carrier, mine or any other property a mark in such manner as may be determined, indicating that the same has been so seized and detained;

(b) issue a notice in the format specified in Form-C informing the person from whom the carrier, mine or any other property is seized and detained.

(2) A carrier, mine or any other property ordered to be released in accordance with the proviso to clause (a) of sub-section (5) of section 22, may be so released upon furnishing security in the form of cash or a bank guarantee in the format specified in Form-A.

**16. Disposal of mineral including processed mineral by public auction in certain cases.**— It shall be lawful for an authorised officer to sell in a fair and transparent manner, by public auction, any mineral seized and detained in accordance with the provisions of the Act and these rules and the proceeds of such sale shall be deposited with the Central Government in the Consolidated Fund of India.

**17. Authorities to aid in enforcement of these rules**.—The administering authority, the Indian Bureau of Mines and any authorised officer shall be aided by the Indian Navy, Indian Coast Guard, the police force of the relevant State Government or any other government authority in administering, implementation and enforcement of these rules.

## CHAPGTER V
## APPEAL AND PENALTIES

**18. Appeal.**—Any person aggrieved by an action taken by any authorised officer in exercise of the powers conferred under these rules may, within three months of the date of such action, prefer an appeal to the Central Government in accordance with the provisions of Chapter X of the Offshore Areas Operating Right Rules, 2024 or Chapter IX of the Offshore Areas Atomic Minerals Operating Right Rules, 2025, as the case may be.

**19. Penalties and recovery.**—(1) Any contravention of these rules, except for such contraventions which are covered as offence under sub-section (1) to sub-section (3) of section 23 of the Act, shall be punishable with imprisonment for a term which may extend to five years or with fine of fifty lakh rupees, which may extend to one crore rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to five lakh rupees for every day during which such contravention continues after conviction for the first such contravention.

(2) Whenever any person, in any manner whatsoever, engages in illegal mining, illegal transportation or illegal storage of any mineral and for that purpose uses any tool, equipment, carrier or any other thing, the authorised officer may, in addition to the penalties prescribed under sub-rule (1) above and subject to the provisions of this rule thereof,—

(a) recommend to the Central Government for cancellation of the composite licence or production lease or registration of such person in respect of its operating right, carrier, mechanised machinery or of such trader or mine developer and operator as may be granted pursuant to sub-rule (2) of rule 6 thereof;

(b) seize such tool, equipment, carrier or any other thing employed by such person in extracting, transporting or storing of mineral.

**20. Maintenance of records.**— The authorised officer shall collate, compile and maintain a consolidated record in the format specified in Form-D and shall mention therein, the details of every offence committed under these rules.

## FORM-A
## FORMAT OF BANK GUARANTEE

*[See rules 3(1)(c) and 15(2)]*

To

[Name of entity in whose favor this guarantee is to be issued to be included]

WHEREAS,

A. [Name of the person whose property is seized] incorporated in India under the Companies Act, 2013 with corporate identity number [CIN], whose registered office is at (address of registered office), India and principal place of business is at [address of principal place of business, if different from registered office][1] is required to provide an unconditional and irrevocable bank guarantee for an amount equal to INR [figures] (Indian Rupees [words]) valid until [date of expiry of bank guarantee] ("Expiry Date").

B. The Bank Guarantee is required to be provided to [Name of entity in whose favor this guarantee is to be issued to be included] for discharge of certain obligations under Rule 15 of the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026 ("Rules").

C. We, [name of the bank] (the "Bank") at the request of [Name of the person whose property is seized] do hereby undertake to pay to the [Name of entity in whose favor this guarantee is to be issued to be included] an amount not exceeding INR [figures] (Indian Rupees [words]) ("Guarantee Amount") to secure the obligations of [Name of the person whose property is seized] on demand from the [Name of entity in whose favor this guarantee is to be issued to be included] on the terms and conditions herein contained herein.

**NOW THEREFORE, the Bank hereby issues in favour of (Name of entity in whose favor this guarantee is to be issued to be included) this irrevocable and unconditional payment bank guarantee (the "Guarantee") on behalf of [Name of the person whose property is seized] for the Guarantee Amount**:

1. The Bank for the purpose hereof unconditionally and irrevocably undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] without any demur, reservation, caveat, protest or recourse, immediately on receipt of first written demand from [Name of entity in whose favor this guarantee is to be issued to be included], a sum or sums (by way of one or more claims) not exceeding the Guarantee Amount in the aggregate without [Name of entity in whose favor this guarantee is to be issued to be included] needing to prove or to show to the Bank grounds or reasons for such demand for the sum specified therein and notwithstanding any dispute or difference between [Name of

[1] Note: Suitable changes to be made to the above text in the event the guarantee is provided for any other category of persons

entity in whose favor this guarantee is to be issued to be included] and [Name of the person whose property is seized] on any matter whatsoever. The Bank undertakes to pay to [Name of entity in whose favor this guarantee is to be issued to be included] any money so demanded not withstanding any dispute or disputes raised by [Name of the person whose property is seized] in any suit or proceeding pending before any court or tribunal relating thereto the Bank's liability under this present being absolute and unequivocal.

2. The Bank acknowledges that any such demand by [Name of entity in whose favor this guarantee is to be issued to be included] of the amounts payable by the Bank to [Name of entity in whose favor this guarantee is to be issued to be included] shall be final, binding and conclusive evidence in respect of the amounts payable by [Name of the person whose property is seized] to [Name of entity in whose favor this guarantee is to be issued to be included] under the Rules.

3. The Bank hereby waives the necessity for [Name of entity in whose favor this guarantee is to be issued to be included] from demanding the aforesaid amount or any part thereof from [Name of the person whose property is seized] and also waives any right that the Bank may have of first requiring [Name of entity in whose favor this guarantee is to be issued to be included] to pursue its legal remedies against [Name of the person whose property is seized], before presenting any written demand to the Bank for payment under this Guarantee.

4. The Bank further unconditionally agrees with [Name of entity in whose favor this guarantee is to be issued to be included] that [Name of entity in whose favor this guarantee is to be issued to be included] shall be at liberty, without the Bank's consent and without affecting in any manner the Bank's obligation under this Guarantee, from time to time, to forbear or enforce any of the rights exercisable by [Name of entity in whose favor this guarantee is to be issued to be included] against [Name of the person whose property is seized] under the Rules and the Bank shall not be relieved from its liability by reason of any such act or omission on the part of [Name of entity in whose favor this guarantee is to be issued to be included] or any indulgence by [Name of entity in whose favor this guarantee is to be issued to be included] to [Name of the person whose property is seized] or other thing whatsoever which under the law relating to sure ties would, but for this provision, have the effect of relieving the Bank of its obligations under this Guarantee.

5. Any payment made hereunder shall be made free and clear of and without deduction for, or on account of, any present or future taxes, levies, imposts, duties, charges, fees, commissions, deductions or withholdings of any nature whatsoever.

6. The Bank agrees that [Name of entity in whose favor this guarantee is to be issued to be included], at its option, shall be entitled to enforce this Guarantee against the Bank as a principal debtor in the first instance without proceeding at the first instance against [Name of the person whose property is seized].

7. The Bank further agrees that the Guarantee herein contained shall remain in full force and effect during the period that is specified in the Rules and that it shall continue to be enforceable till all the obligations of [Name of the person whose property is seized] under or by virtue of the Rules with respect to rule 15 of the Rules have been fully paid and its claims satisfied or discharged or till [Name of entity in whose favor this guarantee is to be issued to be included] certifies that the provisions of the Rules with respect to rule 15 of the Rules have been fully and properly carried out by [Name of the person whose property is seized] and accordingly, discharges this Guarantee. Notwithstanding anything contained herein, unless a demand or claim under this Guarantee is made on the Bank in writing on or before the Expiry Date, the Bank shall be discharged from all liability under this Guarantee thereafter.

8. The payment so made by the Bank under this Guarantee shall be a valid discharge of Bank's liability for payment thereunder and no person shall have any claim against the Bank for making such payment.

9. This Guarantee is subject to the laws of India. Any suit, action, or other proceedings arising out of this Guarantee or the subject matter hereof shall be subject to the exclusive jurisdiction of courts at New Delhi, India.

10. The Bank represents that it has the authority and power to issue this Guarantee in favour of [Name of entity in whose favor this guarantee is to be issued to be included]. This Guarantee will not be discharged due to the change in the constitution of the Bank.

11. The Bank undertakes not to revoke this Guarantee during its currency except with the previous consent of [Name of entity in whose favor this guarantee is to be issued to be included] in writing.

12. [Name of entity in whose favor this guarantee is to be issued to be included] may, with prior intimation to the Bank, assign the right under this Guarantee to any other departments, ministries or any governmental agencies, which may act in the name of the [Name of entity in whose favor this guarantee is to be issued to be included]. Save as provided in this clause 12, this Guarantee shall not be assignable or transferable.

13. Notwithstanding anything contained herein:

(a) the liability of the Bank under this Guarantee shall not exceed the Guarantee Amount; and

(b) this Guarantee shall be valid up to the Expiry Date.

14. The Bank is liable to pay the Guaranteed Amount or any part thereof under this Guarantee only and only if [Name of entity in whose favor this guarantee is to be issued to be included] serves upon the Bank, a written claim or demand on or before the Expiry Date.

Dated the [day] day of [month] [year] for the Bank.

In witness whereof the Bank, through its authorized officer, has set its hand and stamp.

(Signature)

(Name and Designation)

(Bank Stamp)

**FORM-B**

**FORMAT OF TRANSIT PERMIT**

*[See rule 8(2)]*

| Sr. No. | Item | Particulars |
|---|---|---|
| 1 | Operating Rights Holder / Mine Developer and Operator Code | |
| 2 | Operating Rights Holder / Mine Developer and Operator Registration No. | |
| 3 | Operating Rights Holder / Mine Developer and Operator TIN No. | |
| 4 | Name of Registered Operating Rights Holder / Mine Developer and Operator | |
| 5 | Address and Contact Details | |
| 6 | Offshore Lease Area Details | |
| 7 | Name of Mineral | |
| 8 | Mineral Grade | |
| 9 | Quantity of Mineral (in figure, in MT) | |
| 10 | Quantity of Mineral (in words, in MT) | |
| 11 | Royalty | |
| 12 | OMET | |
| 13 | Auction Premium | |
| 14 | Other Payments (if applicable) | |
| 15 | Vessel Details | |
| 16 | Electronic Identification/Tracking Device | |
| 17 | Destination Port / Onshore Facility / First point of Discharge | |
| 18 | Name of Purchaser/ trader | |
| 19 | Purchaser/trader Registration No. | |
| 20 | Purchaser/trader Address | |
| 21 | Captain’s Name | |
| 22 | Captain’s License No. | |
| 23 | Journey Start Date | |

| Sr. No. | Item | Particulars |
|---|---|---|
| 24 | Expected Journey Route | |
| 25 | Journey End Date | |
| 26 | Distance (in nautical miles and km) | |
| 27 | Is mineral exported | |
| 28 | If yes, customs documentation (e.g., shipping bill) attached | |
| 29 | Safety and Inspection Clearance Attached | |
| 30 | Whether a clearance has been obtained from the Central Board of Indirect Taxes and Customs in respect of export of mineral, extracted from offshore areas, outside of India | |
| 31 | Generate Transit Permit | |

**FORM-C**

**FORM OF NOTICE REGARDING SEIZING OF CARRIER, MINE OR ANY OTHER PROPERTY**

*[See rule 15(1)(b)]*

Dated [ ]

To

(Address)

Take notice that the following property(ies) which was/were involved in offence committed under the Offshore Areas Mineral (Prevention of Illegal Mining and Transportation) Rules, 2026 on ..... (date) has been seized and detained by Shri. ..... Designation..... and kept under the custody of the undersigned. The details of the property being seized are as under:

| Sr. No. | Item Details | Particulars |
|---|---|---|
| l. | Details of carrier, mine or any other property seized. | |
| a. | Place of seizure with date and time. | |
| b. | Description of each carrier, mine or property. | |
| 2. | Name and address of person from whom the carrier, mine or property is seized. | |
| 3. | Name and address of any other claimant for the seized carrier, mine or property. | |
| 4. | Name and address of person under whose custody the seized carrier, mine or property has been kept. | |
| 5. | Whether the person whose property has been seized, is registered with the Indian Bureau of Mines/ offshore mining regulation web portal. | (Yes/No) |
| 6. | If yes, then registration number of the person whose property is seized, to be provided. | |
| 7. | Approximate value of the seized carrier, mine or property. | |
| 8. | Name and approx. Quantity of mineral. | |
| 9. | Remarks. | |

In case you want to be heard in person in the matter, you are hereby asked to convey the same in writing within 15 days from date of issue of this notice at the following address.

( ) ( )

Signature of authorised Officer. Signature of the Custodian.

with designation and address. with designation and address.

**FORM-D**

**FORMAT FOR KEEPING RECORD OF OFFENCES**

*(See rule 20)*

| Sr. No. | Complaint No. | Date of Commission of Offence | Name of Accused | Type of offence (relating to Mining, Storage, Transportation) | Brief Description of Offence | Property Involved in Offence | Place of Occurrence (Coordinates or Description) | Officer Detecting the Offence | Payment for Offence (in INR) | No. and Date of Treasury Challan for Payment | Signature of Authority Compounding the Offence | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

[F. No. M.VI-16/28/2025-Mines VI]

SHAKIL ALAM, Economic Advisor

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಅಫೀಫಾ ಉಸ್ಮಾನಿ)
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-12**

## ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
## ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 04 ಕೇಶಾಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26.02.2026

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रजिस्ट्री सं॰ डी॰ एल॰—(एन)04/0007/2003—26 REGISTERED NO. DL—(N)04/0007/2003—26

भारत का राजपत्र
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PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE
**(Legislative Department)**

*New Delhi, the* 16*th February,* 2026/*Magha* 27, 1947 *(Saka)*

The following Act of Parliament received the assent of the President on the 16th February, 2026 and is hereby published for general information:—

# THE INDUSTRIAL RELATIONS CODE (AMENDMENT) ACT, 2026

No. 1 of 2026

[16*th February,* 2026.]

An Act to amend the Industrial Relations Code, 2020.

BE it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

Short title and commencement.

**1**. (*1*) This Act may be called the Industrial Relations Code (Amendment) Act, 2026.

(*2*) It shall be deemed to have come into force from the 21st day of November, 2025.

Amendment of Act 35 of 2020.

**2**. In the Industrial Relations Code, 2020, in section 104, for sub-section (*1*), the following sub-sections shall be substituted, namely:—

"(*1*) The following enactments shall stand repealed on and from the date appointed in the notification issued under sub-section (*3*) of section 1, namely:—

(*a*) the Trade Unions Act, 1926; 16 of 1926.

(*b*) the Industrial Employment (Standing Orders) Act, 1946; and 20 of 1946.

(*c*) the Industrial Disputes Act, 1947. 14 of 1947.

(*1A*) Notwithstanding such repeal under sub-section (*1*), the functioning of the Tribunals and statutory authorities functioning under the Acts so repealed shall continue to function till such Tribunals and other statutory authorities becomes functional under this Code.".

———

DR. RAJIV MANI,
*Secretary to the Govt. of India.*

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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-13**

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:– ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು–೫೬೯.

THAMMAIAH